

FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS
March 10-13, 2002
Port-of-Spain, Trinidad and Tobago

OEA/Ser.K
REMJA-IV/doc.24/02 rev. 2
8 April 2002
Original: Spanish

FINAL REPORT OF THE FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS

CONTENTS

	<u>Page</u>
INTRODUCTION.....	1
1. Convocation.....	1
2. Scope of the Mandate	1
CHAPTER I BACKGROUND.....	2
1. First Meeting of Ministers of Justice or of Ministers or Attorneys General (Buenos Aires, 1997).....	2
2. Second Summit of the Americas (Santiago, Chile, 1998).....	5
3. Dialogue on the topic of administration of justice in the Americas. General Assembly of the OAS (Caracas, Venezuela, June 1998).....	6
4. Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (Lima, Peru, March 1999)	7
5. Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.....	11
CHAPTER II PREPARATORY WORK FOR THE FOURTH MEETING OF MINISTERS OF JUSTICE OR OF MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS	17
1. Permanent Council.....	17
2. Special Group on Justice	17
3. Adoption of the Draft Agenda for REMJA-IV	223
CHAPTER III FOURTH MEETING OF MINISTERS OF JUSTICE OR OF MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS	24
1. Inaugural session	24
2. First plenary session	24
3. Second plenary session.....	26
4. Third plenary session.....	27
5. Fourth plenary session	29
6. Fifth plenary session.....	30
7. Closing session	30
CHAPTER IV CONCLUSIONS AND RECOMMENDATIONS	31
ANNEX I Officers of the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas	37
ANNEX II Declaration – Support for the Promotion of Peace and the Defense of Democracy and Fundamental Freedoms in Colombia.....	39
ANNEX III Resolution – Expression of Gratitude to the Government and People of the Republic of Trinidad and Tobago	41
ANNEX IV Resolution – Congratulations to the President of the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas	43
ANNEX V Lista de documentos registrados por la Secretaría hasta el 20 de marzo de 2002	45

FINAL REPORT OF THE FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS

INTRODUCTION

1. Convocation

The General Assembly of the Organization of American States (OAS), at its thirty-first regular session, in San José, Costa Rica, mindful of the agreements reached by the Heads of State and Government in the Plan of Action of the Third Summit of the Americas, in which they decided to “continue to support the work done in the context of the Meetings of Ministers of Justice and Attorneys General of the Americas, whose Fourth Meeting will take place in Trinidad and Tobago, as well as subsequent meetings, and the implementation of their conclusions ...,” and of the report of the Permanent Council on the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, held in San José, Costa Rica, in March 2000 (CP/doc.3478/01), adopted resolution AG/RES. 1781 (XXXI-O/01), in which it resolved “to convene the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.”

2. Scope of the mandate^{1/}

Pursuant to the aforementioned resolution AG/RES. 1781 (XXXI-O/01), the General Assembly instructed the Permanent Council of the OAS to prepare the agenda and preliminary documents and set the date for the meeting.

The General Assembly also instructed the Permanent Council “to continue following up on the implementation of the conclusions and recommendations adopted by the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-III/doc.14/00 rev. 2), pursuant to the provisions of resolutions AG/RES. 1698 (XXX-O/00) and AG/RES. 1763 (XXX-O/00), and also to request the ministers of justice or ministers or attorneys general to consider continuing the project for the information-exchange network on mutual legal assistance and to seek to implement it throughout the Hemisphere.”

Finally, the Assembly instructed the Permanent Council “to report to the General Assembly at its thirty-second regular session on the implementation of this resolution.”

Accordingly, the conclusions and recommendations adopted by the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas are to be presented, through the Permanent Council of the OAS, to the General Assembly at its next regular session, to be held in Barbados in June 2002.

1. The mandates entrusted to the Permanent Council by the General Assembly are found in operative paragraphs 1, 2, and 3 of resolution AG/RES. 1781 (XXXI-O/01), “Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas,” Proceedings, Volume 1, OEA/Ser.P/XXXI-O.2, September 28, 2001, pp. 48 and 49.

CHAPTER I

BACKGROUND

1. First Meeting of Ministers of Justice or of Ministers or Attorneys General (Buenos Aires, 1997)

The foreign ministers and heads of delegation of the OAS member states, meeting in Lima, Peru, at the twenty-seventh regular session of the General Assembly, adopted resolution AG/RES. 1482 (XXVII-O/97), "Meeting of Ministers of Justice," which underscored "the importance of holding a meeting of ministers of justice, or of ministers or attorneys general with competence in this area, to consider issues contributing to enhanced legal and judicial cooperation in the Americas."

In that resolution, the General Assembly instructed the Permanent Council to hold the necessary consultations so as to prepare the agenda and convene and organize the meeting, and requested that it report on the implementation of that resolution to the General Assembly at its twenty-eighth regular session.

In accordance with that General Assembly resolution, the Permanent Council of the Organization of American States, bearing in mind the offer of the Government of the Argentine Republic to host the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, as well as the guidelines for that meeting's agenda, adopted resolution CP/RES. 709 (1141/97), in which it convened the meeting and approved the following agenda:

1. Rule of law. New institutions and developments:
 - a. Experiences at the national level
 - b. Experiences at the regional and sub regional levels
2. Modernization and strengthening of the justice system. Reform, new trends, and the use of mechanisms such as arbitration, mediation, and conciliation
3. Combating corruption, organized crime, and other criminal activities:
 - a. Experience at the national level
 - b. Initiatives to strengthen legal/judicial cooperation
4. Analysis of the application of judicial and juridical cooperation agreements in the Americas
5. Correctional institution policy and reform processes. Strengthening of initiatives to rehabilitate prisoner/convicts and reintegrate them into society.

The First Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas was held in Buenos Aires, Argentina, from December 1 to 3, 1997.

At the conclusion of its discussions on the various agenda items, the First Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas reached the following conclusions and made the following recommendations:

A. Conclusions

1. The existence of a legal system that guarantees the observance of human rights and duties, facilitates access to justice, and offers protection to society is an essential element for consolidating the rule of law and for allowing social and economic development to proceed as an effective formula for the integration of our peoples.
2. Strengthening the legal system requires the adoption of provisions that will preserve the independence of the judiciary, the continued improvement of its institutions' abilities to enforce the rule of law, and the training and continuous upgrading of magistrates, judges, prosecutors and public attorneys, and other officials related to the justice system, as well as lawyers.
3. The threats facing our societies, such as organized crime, corruption, drug trafficking, terrorism, money laundering, child exploitation, and the deteriorating natural environment, can only be successfully addressed by upgrading our national systems of justice, and by strengthening international cooperation in these areas, in all its forms.
4. The valuable inter-American juridical heritage embodied in the many treaties prepared under the aegis of the Organization of American States needs to be given effective application through prompt ratification of the conventions that have been signed, and adequate dissemination of its texts, and of the practice of member states.
5. International legal cooperation is essential for the development of justice systems within the member countries of the OAS. Consequently, and in accordance with each country's legislation, there is a need to promote mutual legal assistance in a flexible and effective manner, in particular with respect to extradition, requests for delivery of documents and other forms of evidence, the establishment of secure and prompt channels of communications such as those of INTERPOL, and strengthening of the role of the central authorities.
6. One of the major challenges facing our societies today is to develop prison and penitentiary systems that offer suitable conditions for rehabilitation and re-integration into society for those who have been sentenced to imprisonment by the courts.

B. Recommendations

1. To continue the process of strengthening the legal systems of the Americas, so as to ensure that individuals have full access to justice, to guarantee the independence of the judiciary and the effectiveness of prosecutors and attorneys general, and to encourage the establishment of responsive and transparent systems and modern institutions.
2. To approach the process of modernizing justice from a multidisciplinary viewpoint that goes beyond strictly legal considerations, and embraces such aspects as organizational analysis, management systems, social costs and benefits, and economic and statistical studies.
3. To encourage the incorporation of alternative dispute resolution procedures into national justice administration systems.
4. To continue efforts to improve inter-American instruments for legal cooperation, to which end every state should evaluate the current application of existing measures, and take steps to disseminate them more broadly, as well as to promote the establishment of other instruments that may be necessary to deal with new contingencies.

To request the General Secretariat of the OAS to prepare a study on the obstacles impeding the effective application of treaties of legal and judicial cooperation, on the basis of reports to be submitted by member states.

5. To promote the exchange of national experience and technical cooperation in prison and penitentiary policy matters, within the framework of the OAS.
6. To promote the sharing of experience and technical cooperation in matters related to criminal prosecution systems, access to justice, and judicial administration.
7. To reinforce the fight against corruption, organized crime and transnational criminal activity, and to adopt new legislation, procedures, and mechanisms as necessary to combat these scourges.
8. To welcome the forthcoming Summit of the Americas, to be held in Santiago, Chile, in April 1998, and to express satisfaction that the timely topic of strengthening the judicial system and the administration of justice has been included on the agenda for that occasion.
9. To convene a meeting of government experts, with support from the OAS, in Santiago, Chile, before February 28, 1998, to examine basic issues in the justice sector, with a view to incorporating their analysis into the work of the Summit of the Americas.

10. To encourage the holding of regular meetings of ministers of justice or of ministers or attorneys general of the Americas, within the framework of the OAS and with technical support from the Organization's General Secretariat.
11. To accept with gratitude the offer of the Government of Peru to host the Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, to be held during the second half of 1998, and to agree that the agenda for that meeting should be prepared within the OAS, with a focus on topics that are deemed to be priorities.
12. To request the OAS to provide the financial resources necessary for carrying out the various recommendations emanating from this First Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.

2. Second Summit of the Americas (Santiago, Chile, 1998)

In April 1998, a meeting of government experts was held to include basic justice-sector issues on the agenda for the Second Summit of the Americas, held that month in Santiago, Chile.

The Heads of State and Government meeting at that Summit adopted a Plan of Action containing the following decisions pertaining to the "Strengthening of Justice Systems and Judiciaries":

1. "Develop mechanisms that permit easy and timely access to justice by all persons, with particular reference to persons with low income, by adopting measures to enhance the transparency, efficiency and effectiveness of the courts. In this context, they will promote, develop and integrate the use of alternative methods of conflict resolution in the justice system."
2. "Strengthen, as appropriate, systems of criminal justice founded on the independence of the judiciary and the effectiveness of public prosecutors and defense counsels, recognizing the special importance of the introduction of oral proceedings in those countries that consider it necessary to implement this reform."
3. "Step up efforts to combat organized crime, and transnational crime, and, if necessary, foster new laws and international conventions, as well as procedures and mechanisms for continuing to combat these scourges."
4. "Adapt legislation and proceed, as soon as possible, with necessary institutional reforms and measures to guarantee the comprehensive protection of the rights of children and youths to meet the obligations established under the United Nations Convention on the Rights of the Child and other international instruments."
5. "Adopt as appropriate a clear distinction between procedures and consequences of violations of criminal law and measures established to protect children and youths whose rights are threatened or violated, and will promote social and educational measures to rehabilitate young offenders."

6. “Foster the establishment and strengthening of specialized tribunals or courts for family matters, as appropriate, and in accordance with their respective legal systems.”
7. “Expedite the establishment of a justice studies center of the Americas, which will facilitate training of justice sector personnel, the exchange of information and other forms of technical cooperation in the Hemisphere, in response to particular requirements of each country. To this end, they request the Ministers of Justice or other competent authorities to analyze and define the most suitable actions for the organization and establishment for such a center.”
8. “Promote, in accordance with the legislation of each country, mutual legal and judicial assistance that is effective and responsive, particularly with respect to extraditions, requests for the delivery of documents and other evidentiary materials, and other bilateral or multilateral exchanges in this field, such as witness protection arrangements.”
9. “Support the convening of periodic meetings of Ministers of Justice and Attorneys General of the Hemisphere within the framework of the Organization of American States (OAS).”

This last initiative was subsequently endorsed by the General Assembly of the Organization of American States, in June 1998.

3. Dialogue on the topic of administration of justice in the Americas. General Assembly of the OAS (Caracas, Venezuela, June 1998)

At the twenty-eighth regular session of the General Assembly (Caracas, Venezuela, June 1998), the President of the Assembly, Miguel Angel Burelli Rivas, Minister of Foreign Affairs of Venezuela, presented a summary of the dialogue on the topic of the administration of justice in the Americas, which contained the following ideas:

- The administration of justice has become a top priority issue.
- Politicization of the judicial system has been identified as a major problem.
- The main objectives are: real separation of powers and a depoliticized and efficient judicial system.
- Administration of justice is to be conceived of as an inalienable responsibility of States.
- Nonetheless, it is accepted that the OAS can play an important part in supporting the creation and promotion of better judicial systems, at both the national and international level.
- It was pointed out that the OAS must find a sphere of action that is in tune with current needs and in keeping with the Organization’s abilities and resources.
- That sphere of action must involve substantive issues (trade legislation) and real follow-through.

- Subject to the availability of resources, among the many specific tasks suggested for the OAS were:
 - Having a working group draw up a strategic plan
 - Creation of an Inter-American Studies Center
 - Evaluation of international cooperation instruments
 - Ongoing support for meetings of Ministers of Justice
 - Exchanges of information regarding training in the judiciary
 - Expanding the jurisdiction of the Inter-American Court of Human Rights

At that session, the General Assembly adopted resolution AG/RES. 1481 (XXVIII-O/98), “Enhancement of the Administration of Justice in the Americas,” in which it resolved, *inter alia*, to receive with satisfaction the report of the Permanent Council on the enhancement of the administration of justice in the Americas.

4. Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (Lima, Peru, March 1999)

Bearing in mind the report of the Permanent Council and the final report of the Meeting of Ministers of Justice, held in Buenos Aires, Argentina, the General Assembly decided, in resolution AG/RES. 1562 (XXVIII-O/98),^{2/} to convene the Second Meeting of Ministers of Justice or Ministers or Attorneys General of the Americas.

At its meeting on November 10, 1998, the Council approved resolution CP/RES.737 (1176/98), which set March 1 to 3 as the dates for the above-mentioned meeting.

At its meeting on October 9, 1998, the Committee on Juridical and Political Affairs took note of the draft agenda, submitted by Ambassador Beatriz Ramacciotti, Permanent Mission of Peru, for the Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.^{3/}

Accordingly, the Permanent Council, having seen the report of the Committee on Juridical and Political Affairs^{4/}, at its meeting of December 11, 1998, through resolution CP/RES. 739 (1179/98), adopted the following agenda for the Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas:

-
2. REMJA/doc.33/97, Final Report of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.
 3. CP/CAJP-1403/98, Draft Agenda for the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.
 4. CP/CAJP-1432/98, Draft Agenda for the Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.

Dialogue of Ministers of Justice or of Ministers or Attorneys General of the Americas and/or heads of delegation

Topic for discussion: Modernization and strengthening of the justice systems in the Americas: exchange of experiences, new developments, and courses of action at the national and international levels

AGENDA

- 1. Access to justice**
 - 1.1. Legal aid and defense services
 - 1.2. Initiatives for the legal protection of minors
 - 1.3. Incorporation of alternative conflict settlement methods in national administration-of-justice systems

- 2. Training of judges, prosecutors, and judicial officials**
 - 2.1. Experiences acquired in basic, advanced, and specialized training of judiciary personnel
 - 2.2. Mechanisms to promote judicial independence and the effectiveness of public prosecutors or attorneys general
 - 2.3. Creation of a center for judicial studies in the Americas

- 3. Prison and penitentiary policy**
 - 3.1. Modernization of the sector and the improvement of new legal frameworks
 - 3.2. New developments in criminal procedure
 - 3.3. Regional cooperation mechanisms

- 4. Strengthening and developing inter-American cooperation**
 - 4.1. Fighting organized crime and transnational crime, including cyber-crime (domestic legislation, degree of effective application and implementation of international instruments in this area, procedures, and national experiences, etc.)
 - 4.2. Legal and judicial cooperation (inter-American treaties; other mechanisms; extradition; information sharing; submission of documents and other types of evidence; witness protection agreements, etc.)

Conclusions and Recommendations

The Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas was held on the dates set by the Permanent Council, in March 1999, in Lima, Peru. The Second Meeting of Ministers of Justice, on concluding consideration of its agenda, adopted the following conclusions and recommendations:

I. Access to Justice

- A. To continue with the exchange of experiences regarding measures and initiatives adopted at the domestic level, as well as progress achieved and obstacles encountered by the OAS member states in relation to the problem of access to justice in their respective countries; improvement of legal aid and defense services; legal protection of minors; and incorporation of alternative dispute resolution methods in national administration-of-justice systems.
- B. To further those ends, clear identification will be made of the applicable cooperation mechanisms in these areas, and the following actions, *inter alia*, undertaken: compilation of the legislation in force regarding these matters, with a view to creating a database; comparative studies; and preparation of a list of countries and institutions that are in a position to provide international cooperation in these areas.

II. Training of judges, prosecutors, and judicial officials

A. Justice Studies Center of the Americas

With a view to the establishment of the Justice Studies Center envisioned in the Plan of Action of the Second Summit of the Americas; and taking into account the different legal systems in the Hemisphere, it is decided:

- 1. That the objectives of the center will be to facilitate:
 - a. The training of justice sector personnel;
 - b. The exchange of information and other forms of technical cooperation;
 - c. Support for the reform and modernization of justice systems in the region.
- 2. That a group of government experts, open to participation by all delegations, will be formed to:
 - a. Prepare draft by-laws;
 - b. Prepare a work plan;
 - c. Identify public and/or private institutions working in this area;
 - d. Establish appropriate links with international organizations in order to secure the necessary technical support for the Center's operations.
- 3. That the Center's work plan, in the initial phase, will focus on criminal justice matters.
- 4. That the group of experts shall conclude its work before September 21, 1999.
- 5. To request that the OAS provide the necessary support for the work of the group of experts.

B. Regional courses, workshops, and seminars

To continue to cooperate with the OAS General Secretariat by organizing regional or subregional courses, workshops, and seminars to train and develop the legal skills of officials in charge of the justice system in the OAS member states in collaboration with international or national, governmental or nongovernmental institutions.

III. Strengthening and developing inter-American cooperation

A. To strengthen international cooperation in areas of special concern, such as the struggle against terrorism, combating corruption, money laundering, drug trafficking, forgery, illicit trafficking in firearms, organized crime, and transnational criminal activity.

B. Cyber-crime

Because of the importance and difficulty of the issues presented by cyber-crime, and the spread and potential magnitude of the problems it poses for our countries, it is recommended to establish an intergovernmental expert group, within the framework of the OAS, with a mandate to:

- a. Complete a diagnosis of criminal activity which targets computers and information, or which uses computers as the means of committing an offense;
- b. Complete a diagnosis of national legislation, policies and practices regarding such activity;
- c. Identify national and international entities with relevant expertise; and
- d. Identify mechanisms of cooperation within the inter-American system to combat cyber-crime.

The government expert group should present a report to the Third Meeting of Ministers of Justice or Ministers or Attorneys General of the Americas.

C. To continue working in an effective and flexible manner to strengthen mutual legal and judicial assistance among the OAS member states, particularly with respect to extradition, requests for delivery of documents and other forms of evidence and the establishment of secure and prompt channels of communications between central authorities.

D. To evaluate the application of inter-American conventions in force in the area of legal and judicial cooperation, in order to identify measures for their effective implementation or, if appropriate, to determine whether the existing legal framework in the hemisphere should be changed.

E. To urge OAS member states that are parties to treaties for legal and judicial cooperation to appoint Central Authorities where they have not yet done so, to ensure the effective implementation of these treaties.

- F. To recommend that the OAS convene a meeting of central authorities in due course to strengthen cooperation among those authorities in relation to the various conventions on the subject of legal and judicial cooperation.
- G. Extradition, forfeiture of assets, and mutual legal assistance. Recognizing the need to strengthen and facilitate legal and judicial cooperation in the Americas with regard to extradition, forfeiture of assets and mutual legal assistance, and to enhance individual and international efforts against organized crime and transnational criminal activity through improved intergovernmental communication and understanding, we commit ourselves to exchange information, through the OAS, on the following matters in order to deal with them at the Third Meeting of Ministers:
1. Extradition “checklists”, glossaries of commonly-used legal terms, and similar instruments of simplified guidance and explanation on extradition and related processes;
 2. Sample forms for intergovernmental requests for mutual legal assistance;
 3. Instructional materials on the best methods for securing bilateral and international assistance in the area of forfeiture of assets.

In order to facilitate this work, we will immediately begin to compile a list of contact points for information on extradition, mutual legal assistance, and forfeiture of assets.

IV. Prison and penitentiary policy

To reiterate the need to promote the exchange of national experience and technical cooperation in prison and penitentiary policy matters within the framework of the OAS.

5. Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas

The ministers of foreign affairs and heads of delegation gathered at the twenty-ninth regular session of the General Assembly, after considering the Plan of Action of the Second Summit of the Americas and the conclusions and recommendations adopted by the Second Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, held in Lima, Peru, in March 1999 (CP/doc. 3186/99), decided in resolution AG/RES. 1615 (XXIX-O/99) to convene the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.

The Permanent Council, in resolution CP/RES. 766 (1222/00), adopted the following agenda for REMJA-III:

1. Election of the chair
2. Election of the vice chairs
3. Adoption of the draft agenda and draft schedule

4. Follow-up on the conclusions and recommendations of the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas:
 - a. Justice Studies Center of the Americas
 - b. Cybercrime
 - c. Extradition, forfeiture of assets, and mutual legal assistance
5. Report of the Board of Directors of the Justice Studies Center of the Americas pursuant to the second transitory provision of the Statutes of the Center
6. Headquarters of the Center
7. Prison and penitentiary policy:
 - All aspects of health in prisons (Health care, communicable diseases, sexually transmitted diseases, AIDS, drug use, etc.)
8. Access to justice:
 - Alternative conflict resolution
 - Other mechanisms
9. Conclusions and recommendations

The deliberations of REMJA-III resulted in the conclusions and recommendations given below.

Conclusions and Recommendations

At the close of discussion on the various agenda items, the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, convened in the OAS framework through resolution AG/RES. 1615 (XXIX-O/99), approved the following conclusions and recommendations, to be presented, through the Permanent Council of the OAS, to the General Assembly at its thirtieth regular session.

1. Cyber-crime

REMJA-III, mindful of the recommendations made by the Group of Government Experts on Cyber-crime that met at OAS headquarters in May and October, 1999, urges member states of the OAS to:

- ❖ Identify one or more agencies within their country that will have primary authority and responsibility to investigate and prosecute cyber-crime;
- ❖ Take steps to enact legislation covering cyber-crime, if they have not already done so;

- ❖ Make every effort to harmonize their laws on cyber-crime in such a way as to facilitate international cooperation in preventing and combating these illicit activities;
- ❖ Determine their training needs in the area of cyber-crime and explore bilateral, regional, and multilateral cooperation mechanisms to meet those needs;
- ❖ Consider the possibility of becoming members of the 24-Hour/7-Day a Week Point of Contact Group, or participating in other existing mechanisms for cooperation or the exchange of information in order to initiate or receive information;
- ❖ Take steps to heighten awareness of this issue among the general public, including users in the education system, the legal system, and the justice system regarding the need to prevent and combat cyber-crime;
- ❖ Consider various measures, including setting up a Voluntary Specific Fund, to support efforts to expand cooperation on this matter in the Hemisphere;
- ❖ Promote, in the framework of the OAS, the exchange of information on cyber-crime and dissemination of information regarding activities in this field, including the OAS Web page on the subject;
- ❖ Monitor compliance with the recommendations of the Group of Government Experts in the framework of the OAS, taking into account the need to prepare guidelines to orient national efforts in the field of cyber-crime through, for instance, the development of model legislation or other pertinent legal instruments and training programs.

2. Extradition and mutual legal cooperation

REMJA-III welcomes the progress achieved in complying with the recommendations made at REMJA-II, especially with regard to the presentation of information on points of contact, checklists of requirements for extradition, standard forms for requesting mutual legal assistance, and glossaries of legal terms.

In this connection, it:

- ❖ Urges member states of the OAS that have not already done so to present the information requested as soon as possible in order to permit a comprehensive assessment of the situation in the Hemisphere with regard to this topic;
- ❖ Invites the OAS to disseminate that information through its Web page;
- ❖ Encourages member states of the OAS to provide, in addition to the information already presented, material on the way extradition requests are handled by their respective executive and judicial branches;

- ❖ Emphasizes the need to promote heightened awareness among members of the legislative and judicial branches regarding their responsibility in respect of extradition procedures;
- ❖ Resolves to strengthen cooperation and mutual confidence in this field by establishing an information network composed of competent authorities and mandated to prepare specific recommendations in the area of extradition and mutual legal assistance for consideration by said authorities prior to the plenary session of REMJA-IV. That network, representing the different legal systems in the Hemisphere, should rely as far as possible on electronic communications media, especially the Internet;
- ❖ Exhorts member states of the OAS that have not already done so to consider the possibility of ratifying or acceding to inter-American conventions on juridical and judicial cooperation.

3. Prison and penitentiary policy: all aspects of health in prisons

Bearing in mind the importance of all aspects of health in prisons, REMJA-III:

- ❖ Invites member states of the OAS to seek ways to reduce overcrowding in prisons, making use, *inter alia*, of alternatives to imprisonment;
- ❖ Urges governments to share experiences acquired in their prison systems with respect to all aspects of the health of the present or former prison population in order to prevent the spread of HIV/AIDS, STDs, addictions and prison violence;
- ❖ Invites member states of the OAS to foster the development of cooperation projects for providing training for personnel in this area, with the support of international and national, government or nongovernmental organizations;
- ❖ Requests member states of the OAS to monitor, with the help of experts in this field, the subject of all aspects of health in prisons, with a view to identifying common problems and promoting cooperation and exchanges of information and experience;
- ❖ Invites member states of the OAS with the relevant experience to share information regarding the participation of private enterprises in the construction and/or running of penitentiaries, with a view to exploring new options for improving prison systems.

4. Access to justice: alternative conflict resolution and other mechanisms

With a view to improving justice administration systems, REMJA-III:

- ❖ Reiterates its commitment to improve access to justice for the inhabitants of member states of the OAS through the promotion and use of alternative conflict resolution

methods, such as recourse to flexible and expeditious judicial and extrajudicial channels contributing to democratic development;

- ❖ Urges member states of the OAS with experience in this field to offer their cooperation in developing and fostering these alternative mechanisms;
- ❖ Recommends that, as part of the legal cooperation activities being carried out by the General Secretariat of the OAS, an effort be made to foster the development and execution of cooperation programs designed to encourage recourse to alternative conflict resolution methods, in coordination with agencies active in this field in the countries of the Americas;
- ❖ Urges member states of the OAS to promote, in accordance with their respective legislation, the incorporation into educational programs of material encouraging the use of dialogue, negotiation, mediation, and other suitable approaches to dealing with conflicts that are designed to strengthen peaceful coexistence and further a culture of peace and human rights;
- ❖ Resolves to follow-up on the topic of alternative conflict resolution in the framework of the OAS, in order to continue fostering the sharing of experience and cooperation among member states of the OAS.

5. Justice Studies Center of the Americas

REMJA-III:

- ❖ Welcomes the establishment of the Justice Studies Center of the Americas; the adoption of its Statutes; and the installation of its Board of Directors by the General Assembly of the OAS, pursuant to the mandates of the Second Summit of the Americas;
- ❖ Takes note of the recommendations contained in the Report of the First Meeting of the Board of Directors, held in Washington, D. C. on February 24 and 25, 2000;
- ❖ Resolves that the site for the Justice Studies Center of the Americas will be in Santiago, Chile, as provided for in the powers assigned to the REMJA under the Statutes of the Center and bearing in mind the recommendation made by the Board of Directors. REMJA-III thanks the governments of Argentina, Peru, the Dominican Republic, and Uruguay for their offers to provide a site for the Center and invites them to contribute their experience and technical skills in supporting the work entrusted to the Center;
- ❖ Urges the member states and permanent observers of the OAS to contribute voluntary funds to finance the activity of the Center, in accordance with the provisions of Article 17 of the Statutes of the Justice Studies Center of the Americas;

- ❖ Encourages the Board of Directors to proceed with the preparation of the rules of procedures; with the signature of a Site Agreement with the Government of Chile; with the preparation of a draft work plan for the Center; and with the appointment of its Executive Director;
- ❖ Requests the General Assembly of the OAS to proceed to approve the appointment of the person chosen by the Board of Directors as Executive Director of the Center, pursuant to Article 6 of the Statutes of the Center in order to ensure that it can start functioning as soon as possible;
- ❖ Invites the Board of Directors duly to take into account the conclusions and recommendations of REMJA-III when devising its work plan and in the activities carried out by the Center, as provided for in Article 12 of its Statutes.

CHAPTER II

PREPARATORY WORK FOR THE FOURTH MEETING OF MINISTERS OF JUSTICE OR OF MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS

1. Permanent Council

On August 16, 2000, the Permanent Council forwarded to the Special Group on Justice for consideration resolutions:

- AG/RES. 1698 (XXX-O/00), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas";
- -AG/RES. 1763 (XXX-O/00), "Follow-up to the Recommendations and Conclusions of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas."

At that time, Ambassador Rhenan Segura, Alternate Representative of Costa Rica, was elected Chair of the Group by acclamation. Subsequently, at its meeting of October 23, 2000, the Council decided that the Special Group should be coordinated by the Council's Committee on Juridical and Political Affairs and, by acclamation, elected Mackisack Logie, Alternate Representative of Trinidad and Tobago, as Chair of the Special Group.

2. Special Group on Justice

As it began its work, the Special Group took into account what had been decided by the Heads of State and Government in the Plan of Action of the Third Summit of the Americas on the subject "Hemispheric Meetings of Ministers of Justice" and pointed out the following:

Continue to support the work done in the context of the meetings of ministers of justice and attorneys general of the Americas, whose fourth meeting will take place in Trinidad and Tobago, as well as subsequent meetings, and the implementation of their conclusions and recommendations;

Develop a funding plan for the Justice Studies Center of the Americas that takes into account the interests and resources of both governments and other likely donors, and that will enable the Center to contribute not only to the modernization and formulation of public policy in this area, but also to the institutional development of judicial systems in the region;

Develop an exchange of best practices and recommendations, through the meetings of ministers of justice and other appropriate mechanisms, seeking the technical and financial support of other multilateral organizations and multilateral development banks where appropriate, that are consistent with international human rights standards, to reduce the number of pre-trial detainees, institute alternative forms of sentencing for minor crimes and improve prison conditions throughout the Hemisphere;

Establish, in the OAS, an Internet-based network of information among competent legal authorities on extradition and mutual legal assistance to facilitate direct communications among them on a regular basis and to identify common problems in handling specific cases and issues that merit collective attention and resolution.

Likewise, the Special Group on Justice, which was then chaired by Ambassador Rhenan Segura, Alternate Representative of Costa Rica, held five meetings with a view, *inter alia*, to begin to review the conclusions and recommendations arising out of REMJA-III.

With respect to cyber-crime, the Group again considered the questionnaire drawn up to identify legal frameworks already in place in the countries of the region on that subject. The Group reiterated to the governments of member states that it was important to receive their replies to the questionnaire.^{5/} So far, answers have been received from the Governments of Argentina, Brazil, Belize, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Panama, Peru, Saint Lucia, Trinidad and Tobago, the United States, and Venezuela.^{6/}

In addition, the Permanent Council's Special Group on Justice considered the information provided by the Secretariat for Legal Affairs of the OAS General Secretariat regarding the exchange and dissemination of information on this subject through the OAS Web site. There was also discussion on the possibility of deciding on a third meeting of experts that would continue to address analysis, definitions, and courses of action to be pursued in this field. The First Meeting had described cyber-crime as "a criminal activity in which information systems (including, *inter alia*, telecommunications and computer systems) are the *corpus delicti* or means of committing an offense."^{7/}

With assistance from the Secretariat for Legal Affairs, the Special Group on Justice has been analyzing extradition, seizure of assets, and mutual legal assistance, on the one hand, and the procedures or requirements for extradition, on the other, bearing in mind observations remitted by the governments of member states. So far, observations have been received from the following countries:

- a. On the subject of extradition, seizure of assets, and mutual legal assistance: United States, Mexico, Peru, Jamaica, Panama, Argentina, Guatemala, Honduras, and Trinidad and Tobago.^{8/}
- b. On extradition requirements: Colombia, Brazil, Costa Rica, the Dominican Republic, Ecuador, Chile, Panama, and Venezuela.^{9/}

5. The questionnaire is published in document GE/REMJA/doc.15/99.

6. Replies to the questionnaire by governments of OAS member states are published in document GE/REMJA/doc.15/99 addenda.

7. The definition of cyber-crime appears in the final report of the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, REMJA-III/doc.14/00 rev. 2, p. 15, point 4, Cyber Crime.

8. The observations made by the permanent missions on this topic are recorded in the following documents: GE/REMJA/doc.29/99, adds. 1, 2, 3, 4, 5 corr 1, 6 corr. 1, 7, 8, 9, 9-a, 10, and 10-a.

9. The observations regarding extradition requirements are published in documents GE/REMJA/doc.33/99, adds. 1, 2, 3, 4, 5, 6, and 7.

In February 2001, the Committee on Juridical and Political Affairs received a visit from Mr. Juan Enrique Vargas Viancos, the Executive Director of the Justice Studies Center of the Americas, who told the Committee about the activities the Center had planned for this year.

In accordance with the Center's Statute,^{10/} a report on activities carried out by the Center and its work plan will be presented to REMJA-IV for the information and consideration of the ministers of justice and attorneys general of the Americas.

On May 11, the Special Group, with the agreement of the Permanent Mission of Canada, had the honor to welcome experts Patricia Dunberry and Belanger Pierre-Gilles from Canada, who had the following to say with respect to the network for the exchange of information regarding mutual legal assistance.

i. Aim

The aim of the network linking interested OAS member states is to improve communications between them concerning mutual legal assistance. It will thus be in accordance with the aim expressed by the Quebec City Summit, i.e., to strengthen our democracies. The network will provide us with a better understanding of the criminal law and mutual legal assistance systems with which we should be working in order to improve cooperation, in light of current requirements.

The network should enable those using it to communicate more easily, to find readily and quickly the necessary adequate information, while allowing citizens to become better informed of their government's role in this regard. Clearly, the network follows in the wake of the focus on greater democracy through improved access to justice.

ii. Purpose

Because it would be readily available and accessible and come equipped with a search mechanism, such a network would enable users to find existing information on mutual judicial assistance in the official language of each member state. It could also be equipped with templates accessible in the four official languages of the OAS member states, i.e., English, French, Portuguese, and Spanish.

iii. Methods

The network would include both a public and private component. Given the limitations on the confidentiality that could be ensured with respect to digital information and the different systems used by the OAS countries, it would be wishful thinking to attempt to encrypt messages that were accessible on this network. While a level of confidentiality could be ensured through the use of passwords, it would be more realistic, in light of the shortened lifetime provided in which to develop the network, to focus our efforts on making the network generally accessible.

10. The Statute was adopted at the twenty-seventh special session of the General Assembly in resolution AG/RES. 1 (XXVI-E/99).

iv. Contents and results

The Web site could initially be used for exchanges between the four states represented in the working group and include two windows, the first private and the second public. In the private window, OAS member states could disseminate their information in a Web-site field restricted to OAS member states. The public window, on the other hand, could contain basic documents, such as legislation and policies, thereby allowing a large number of citizens of the Americas to benefit. The following are examples of documents that could be posted on the Web site:

- Laws on extradition and mutual judicial assistance in criminal matters,
- International instruments related to mutual judicial assistance, e.g., treaties,
- Explanatory notes concerning laws and legal doctrine,
- Policies on extradition law and mutual judicial assistance,
- Guidelines on the mutual judicial assistance application procedure,
- A checklist and an explanation of the procedure to be followed,
- A list of resource persons, including addresses and telephone numbers.

In May 2001, the Special Group on Justice submitted to the Permanent Council a preliminary draft agenda for REMJA-IV.

The preliminary draft reflects the mandates contained in the conclusions and recommendations adopted at REMJA-III and was presented to allow delegations an opportunity to make comments and suggest the inclusion of new topics.

The following topics on the preliminary draft agenda merit particular attention:

a. Cyber-crime

Mandates

- Ensure follow-up to the implementation of the recommendations of the Group of Government Experts in the framework of the OAS, taking into account the need to prepare guidelines to orient national efforts in the field of cyber-crime through, for instance, the development of model legislation or other pertinent legal instruments and training programs. (REMJA-III).

b. Extradition and mutual legal cooperation

Mandates

- Urges member states of the OAS that have not already done so to present the information requested as soon as possible in order to permit a comprehensive assessment of the situation in the Hemisphere with regard to this topic;
- Invites the OAS to disseminate that information through its web page;

- Encourages member states of the OAS to provide, in addition to the information already presented, material on the way extradition requests are handled by their executive and judicial branches;
- Emphasizes the need to promote heightened awareness among members of the legislative and judicial branches regarding their responsibility with respect to extradition;
- Resolves to establish, in order to strengthen cooperation and mutual confidence in this field, an information network composed of competent authorities and mandated to prepare specific recommendations in the area of extradition and mutual legal assistance for consideration by said authorities prior to plenary session of REMJA-IV. That network, fed by data from different legal systems in the Hemisphere, should rely as far as possible on electronic communication media, especially the Internet.

c. Application of judicial and juridical cooperation agreements in the Americas

Mandates

- To request the General Secretariat of the OAS to prepare a study on the obstacles impeding the effective application of treaties of legal and judicial cooperation, on the basis of reports to be submitted by member states.
- To evaluate the application of inter-American conventions in force in the area of legal and judicial cooperation, in order to identify measures for their effective implementation or, if appropriate, to determine whether the existing legal framework in the Hemisphere should be changed.

d. Central authorities

Mandates

- To recommend the OAS convene a meeting of central authorities in due course to strengthen cooperation among those authorities in relation to the various conventions on the subject of legal and judicial cooperation.
- Reaffirming a recommendation already made at the REMJA-II, a meeting of central authorities under OAS auspices was requested to ensure greater compliance with the obligations enshrined in the various different international legal instruments on judicial cooperation.

e. Prison and penitentiary policy

Mandates

- Recommendations of all the REMJAs. One suggestion is to convene a meeting of “Directors of Prison Administration” in order to promote the exchange of national experience and technical cooperation in prison and penitentiary policy matters.

f. Access to justice. Alternative conflict resolution and other mechanisms

Mandates

- Recommendations of all REMJAs. Proposal to develop a network through the Internet on alternative dispute resolution methods.

g. Justice Studies Center of the Americas

Pursuant to its Statute, the Justice Studies Center of the Americas will submit a report to the REMJA on its activities and work plan.

In September 2001, the Permanent Council submitted to the Special Group on Justice for consideration resolution AG/RES. 1781 (XXXI-O/01). In October that year, on the basis of what the General Assembly had mandated in that resolution, the Group continued its analysis of the recommendations entrusted to it by REMJA-III and consequently the preparation of the draft agenda and draft schedule for that meeting.

The Special Group on Justice, at its meeting of November 15, 2001, elected Mr. Mauricio Alice, Alternate Representative of Argentina, by acclamation, as Vice Chair of the Group.

On the same occasion, the Vice Chair was entrusted with coordinating the informal meetings necessary for concluding preparation of the draft agenda and draft work plan for REMJA-IV. For that purpose, the Group held five informal meetings, led by the Vice Chair, and submitted the results to the Group for consideration on February 1, 2002, on which occasion it was decided to transmit to the Permanent Council for information and consideration the draft agenda and draft schedule for REMJA-IV.

h. Promotion of International Humanitarian Law

The states had discussed including that topic on the REMJA-IV agenda, but had decided that the Committee on Juridical and Political Affairs would hold a special meeting on the promotion of International Humanitarian Law, which was held on March 6, 2002.

The Committee on Juridical and Political Affairs also decided that the Rapporteur’s report for that special meeting would be published and presented as an official REMJA-IV document (document REMJA-IV/doc.20/02 corr. 1) to enable the attorneys general and ministers of justice to refer to the topic during the dialogue of ministers.

3. Adoption of the draft agenda for REMJA-IV

At its meeting of February 13, 2002, after listening to the presentation by Mr. Mackisack Logie, Alternate Representative of the Permanent Mission of Trinidad and Tobago, on the report of the Special Group on Justice concerning the draft agenda and draft schedule for REMJA-IV, as well as the observations of the delegations regarding those drafts, the Permanent Council agreed:

- a. To approve the draft agenda (REMJA-IV/doc.2/02) and draft schedule (REMJA-IV/doc.3/02).
- b. To convene, in February 2002, a special meeting of the Committee on Juridical and Political Affairs to study the mandates conferred by the General Assembly, contained in the following resolutions:
 - i. AG/RES. 1770 (XXXI-O/01), “International Criminal Court”; and
 - ii. AG/RES. 1771 (XXXI-O/01), “Promotion of and Respect for International Humanitarian Law.”
- c. To instruct the Committee on Juridical and Political Affairs to present to the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas a report on the outcome of the special meeting mentioned in the foregoing paragraph. That report should be classified as a document of that meeting and may be considered during the dialogue of heads of delegation.
- d. To transmit to REMJA-IV the report of the Inter-American Commission of Women (CIM) titled “Mainstreaming of a Gender Perspective into the Programs and Policies of Ministries of Justice or Offices of Attorneys General,” for consideration during preparation of the meeting’s recommendations.

CHAPTER III

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

1. Inaugural session

The Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas was officially opened on March 10, 2002, at 6:30 p.m., in the Trinidad Hilton Hotel in Port-of-Spain, Trinidad and Tobago. Speaking at the opening session were the Honorable Senator Glenda Morean, Attorney General of the Republic of Trinidad and Tobago; His Excellency Mr. César Gaviria, Secretary General of the Organization of American States; and the Honorable Mr. Patrick Manning, Prime Minister of the Republic of Trinidad and Tobago.

2. First plenary session

At 10:30 a.m. on Monday, March 11, 2002, the head of the Costa Rican delegation, Mr. Guillermo Arroyo, Vice Minister of Justice and Worship of Costa Rica, serving as Provisional President of REMJA-IV, called the first plenary session to order. The Meeting then proceeded to elect its President.

a. Election of the President

On a motion by the head of delegation of Jamaica, seconded by the head of delegation of Canada, the Honorable Senator Glenda Morean, Attorney General of the Republic of Trinidad and Tobago, was elected by acclamation President of the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas.

After assuming her position, the President addressed the plenary to express thanks for her election and to comment on the work of the Meeting. She then proceeded immediately to the election of the Vice Presidents and the installation of the Working Group.

b. In memoriam

The Meeting expressed its condolences to the people and Government of the United States of America after a period of six months had elapsed since the terrorist attacks of September 11, 2001, and accordingly observed a minute of silence.

c. Election of the Vice Presidents

On a motion by the head of the delegation of Barbados, Mrs. Elizabeth Süssekind, National Secretary of Justice of Brazil, was elected First Vice President by acclamation.

On a motion by the head of delegation of the United States, seconded by the head of delegation of Haiti, Mr. Martin Cauchon, Minister of Justice and Attorney General of Canada, was elected Second Vice President by acclamation.

d. Installation of the Working Group

The Meeting decided to install the Working Group and entrusted it with preparation of the draft recommendations of REMJA-IV and of the draft agenda for the Fifth Meeting of Ministers of Ministers of Justice or of Ministers or Attorneys General of the Americas.

In addition, on a motion by the head of delegation of Guyana, seconded by the head of delegation of Venezuela, Mr. Mackisack Logie, of Trinidad and Tobago, was elected Chair of the Working Group by acclamation.

e. Approval of the draft agenda and draft schedule

The President of the Meeting submitted to REMJA-IV, for approval, the draft agenda and draft schedule. The agenda was approved unanimously and the schedule was approved with some changes in the times indicated.

The delegation of Argentina asked that, during the afternoon meeting, a parallel technical group be set up on the topic of alternative conflict resolution that would receive General Secretariat support.

f. Dialogue of Heads of Delegation

After a brief introduction by the President of REMJA-IV on the topic Legal and Judicial Cooperation in Fighting Transnational Organized Crime, the plenary listened to comments and recommendations on the topic by the delegations of Antigua and Barbuda, Barbados, Brazil, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Paraguay, Peru, Saint Lucia, Suriname, the United States, Uruguay, Venezuela, and Trinidad and Tobago.

During the first and the second plenary sessions, delegations referred to the damage caused by transnational organized crime, including terrorism, politically as well as economically and socially. They underscored the need to strengthen and enhance mutual legal assistance at the hemispheric level. Consideration was given to the need for a strategy of hemispheric cooperation in the area of mutual legal assistance in order to join forces to combat the various manifestations of international crime, in keeping with the commitment made by the Heads of State and Government at the Third Summit of the Americas.

Various delegations drew attention to the importance of recommending the signing and ratification of, or accession to, as appropriate, the inter-American treaties on legal and judicial cooperation in criminal matters. They also noted that it was important to designate central authorities in connection with these treaties.

During the dialogue, emphasis was placed on the work of the Inter-American Committee against Terrorism (CICTE) and on the importance of active participation by states in the Committee's activities and in the negotiation of a convention in this area.

The General Secretariat was requested to prepare, on the basis of the information provided by the states, studies on the obstacles they encounter both to signing, ratifying, and implementing the inter-American treaties on legal and judicial cooperation in criminal matters and to making mutual legal assistance in combating the different types of transnational organized crime as effective as possible.

It was also recommended that, in the framework of the work of the Special Group of the OAS Permanent Council entrusted with implementing the REMJA recommendations, a group of governmental experts in the area of mutual legal assistance in criminal matters be convened as soon as possible, including the central authorities for the inter-American treaties on cooperation in this field, to draw up a proposed strategy for hemispheric cooperation to consolidate and enhance mutual judicial assistance in combating the various manifestations of transnational organized crime, which would then be submitted to REMJA-V for consideration. Said proposal should be comprehensive in nature and refer to all aspects needed to consolidate and enhance mutual legal assistance in combating the various forms of transnational organized crime, including terrorism, by specifying the measures that should be promoted or adopted in each case, and should define related goals to allow for periodic follow-up to the progress made in achieving them.

This proposal should take into account:

- (i) The progress made in this field and the actions taken in REMJA as well as those taken or being promoted in specific areas in the framework of other organs or intergovernmental forums at the hemispheric level, such as CICTE, the CIFTA, and the Follow-up Mechanism of the Inter-American Convention against Corruption;
- (ii) The progress made in this area both in the United Nations and in subregional organizations;
- (iii) The necessity and advisability of moving toward and improving the information exchange network for mutual legal assistance in criminal matters, as a basic part of a strategy for hemispheric cooperation in this area; and
- (iv) The importance of incorporating therein training programs, the exchange of experiences, and other forms of technical cooperation with a view to enabling states to improve their capabilities in mutual judicial assistance.

3. Second plenary session

The second plenary session was called to order at 3:00 p.m. on March 11, 2002. It concluded its consideration of the topic of the dialogue of heads of delegation, namely, legal and judicial cooperation in fighting transnational organized crime and terrorism. In that connection, the plenary decided to take note of the comments and recommendations made in this regard by the delegations and to submit it to the Working Group entrusted with preparing the draft recommendations of REMJA-IV.

Item 1: Mutual Legal Assistance

1.1 Agreements on legal and judicial cooperation in the Americas: Applicability, implementation, and improvement of cooperation instruments at the inter-American level

The following delegations took the floor on this item: Antigua and Barbuda, Barbados, Mexico, and Panama.

The discussion began with a presentation by the President of the Meeting, who first made a brief outline of the decisions made at previous REMJAs and then singled out from the many documents presented by the Secretariat for Legal Affairs of the General Secretariat the Draft Questionnaire on inter-American treaties on legal and judicial cooperation (REMJA-IV/doc.15/02, corr. 1). She said that the purpose of the document was to facilitate the study and evaluation of the recommendations of REMJA-I and REMJA-II on the obstacles to effective application of those treaties, as well as to identify measures for their effective application or, as appropriate, to determine the need to adjust the current legal framework in the Hemisphere.

Lastly, the President of REMJA-IV, mindful of the numerous comments made by the heads of delegation during the dialogue, said that it was necessary for the present Meeting to proceed to define a collective strategy for mutual legal assistance.

Some delegations commented on obstacles under domestic law to the protection of bank secrecy, impediments to precautionary measures, and the training of civil servants to take action in the area of mutual legal assistance.

Moreover, some delegations expressed the need to improve contact with the authorities of each state responsible for ensuring respect for the rights and obligations stemming from mutual legal assistance, the advisability of disseminating legal instruments of public international law in order to assist the countries of the region; incorporation of technological measures for the application of these treaties pursuant to the agreements of the Quebec City Summit of the Americas (2001); and the reduction of legal formalities for decision making in cases of action resulting from terrorist acts.

Note was taken of the statements made by various delegations during consideration of the topic of the dialogue of heads of delegation and confirmed during consideration of this item, to the effect that REMJA-IV should urge the governments of the member states to ratify treaties pertaining to mutual legal assistance.

4. Third plenary session

The third plenary session began at 9:30 a.m. The first issue up for consideration by the plenary was: "Agreements on legal and judicial cooperation in the Americas: Applicability, implementation, and improvement of cooperation instruments at the inter-American level." The plenary agreed to refer the matter to the Working Group for consideration.

The next item studied was: "Information exchange network." The head of the delegation of Canada gave a brief presentation on the technical meeting held on March 10, prior to the commencement of REMJA-IV's work, and he presented the relevant recommendations agreed on by that meeting. The delegate of Canada requested and obtained the President's permission for Messrs.

Claude LeFrançois and Pierre-Gilles Belanger to give a PowerPoint presentation on this issue. Contributions were then made by the delegations of Paraguay and the United States. The presentation stressed the project's usefulness and main objectives, and the delegations underscored the importance of establishing such a network. The delegation of Canada noted that the project should be expanded, but that first a meeting of experts should be held, which Canada was willing to sponsor; the delegation then extended its thanks to Dr. Jorge García González, Director of the Department of Legal Cooperation and Information of the General Secretariat's Secretariat for Legal Affairs.

The plenary then addressed the issue: "Extradition." The delegation of Mexico spoke in favor of introducing temporary extradition mechanisms into the Hemisphere's legal framework and in favor of strengthening police cooperation through the central offices of INTERPOL. Emphasis was also placed on the need to provide legal alternatives for avoiding impunity in cases in which extradition is disallowed, for ensuring the strict enforcement of immigration laws, and, if applicable, for allowing the deportation of fugitives as a mechanism for streamlining law enforcement.

The President suggested that these comments be noted and that the proposals be forwarded to the Working Group for consideration.

The plenary then dealt with the following issue: "International cooperation for the repatriation of illegal funds derived from corruption." Contributions were made by the delegations of Barbados, Canada, Colombia, the Dominican Republic, Ecuador, Haiti, Mexico, Paraguay, Peru, the United States, and Uruguay. The plenary took note of the following comments made by the delegations: (i) international cooperation should be strengthened to detect funds or resources derived from corruption and to work for their repatriation; (ii) internal legal measures should be adopted to enable assets to be seized and to allow corruption-earned funds to be repatriated; (iii) the problems of judicial conflicts and bank secrecy should be addressed; (iv) the follow-up mechanisms for the implementation of the Inter-American Convention against Corruption should be assessed and strengthened as a means to improve hemispheric cooperation in this area; (v) efforts should be made to avoid the duplication of efforts at the international level vis-à-vis the repatriation of illicit funds from corruption, and the possibility of working in conjunction with the UN should be studied in order to ensure a global outlook instead of a merely regional perspective. In addition, a request was made for the elimination of financial paradises, and the importance of this issue among the smaller nations was underscored. During the discussion of this question, the Chair was transferred, on a temporary basis and until the end of the session, to Ms. Elizabeth Sússekind, head of the delegation of Brazil and First Vice President of the meeting. The President suggested that the plenary take note of the proposals and refer them to the Working Group.

Item 2: Improving the Administration of Justice

The plenary then studied the next issue: "Access to justice: Alternative means of conflict resolution and other mechanisms." It took note of the comments made by the delegations of Barbados, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Paraguay, Peru, the United States, Uruguay, and Venezuela. At the start of the discussion, the delegate of Ecuador suggested changing the title to "Improving the Systems for the Administration of Justice," a suggestion that was approved by the plenary. The meeting heard proposals for establishing a register of alternative conflict-solving methods within the inter-American framework, one that could accredit services provided by the centers and programs active in the area; it was suggested that the Justice Studies Center of the Americas should be studied as a possible hub for gathering this register's information and for disseminating alternative

methods around the member countries. It was also suggested that steps be taken to incorporate alternative conflict-solving methods into national legislations, and that consideration be given to the possible inclusion of those methods in public contracts. Finally, it was suggested that proposals from nongovernmental organizations be taken into consideration in these endeavors. The plenary took note of the presentations and forwarded them to the Working Group.

5. Fourth plenary session

The fourth plenary session began its work at 2:45 p.m. on the issue: “Penitentiary and prison policy.” Contributions were made by the delegations of Antigua and Barbuda, Argentina, Barbados, Brazil, Canada, Chile, Costa Rica, the Dominican Republic, Guatemala, Haiti, Mexico, Paraguay, Peru, Trinidad and Tobago, and Venezuela. It was suggested that a meeting of the authorities responsible for penitentiary and prison policy in the OAS member states be held, under the aegis of the OAS, in order, *inter alia*, to encourage exchanges of information and experiences, including the design, implementation, and assessment of public policy in this area and the possible creation of a network for exchanging information on a permanent basis over the Internet. Proposals were also heard for drafting a document to protect the rights of detained persons and for designing a technical assistance project, under the auspices of the OAS, that would, *inter alia*, allow the use of flexible mechanisms for seeing prison terms through to completion, the exploration of alternatives for tackling the problem of prison overcrowding, educational programs for prison inmates, improvements to prison management methods, and educational programs for prison workers.

The President gave the floor to Mr. Michael Platzter, the representative of the UNDCP Caribbean Regional Office, who spoke of the symposium on youth justice in the Caribbean that was held in Trinidad and Tobago on September 19-21, 2000.

The plenary took note of the proposals and forwarded them to the Working Group.

Item 3: Cyber-crime

Contributions were made by the delegations of Argentina, Barbados, Canada, Chile, Colombia, Mexico, the United States, and Venezuela. It was proposed that a meeting of government experts be held on this issue, in order to study a number of matters related to it. It was also suggested that the member states be encouraged to reply to the questionnaire drawn up by the OAS General Secretariat for assessing their progress in implementing the recommendations vis-à-vis fighting cyber-crime drawn up by REMJA-III. The plenary took note of the contributions and referred this issue to the Working Group.

The President then gave the floor to the representative of the Inter-American Development Bank, Mr. Fernando Carrillo-Flores, who described the Bank’s ongoing support for improvements to the administration of justice in the Americas.

Item 4: Report of the Justice Studies Center of the Americas

The report was submitted by Mr. Douglas Casell, the Chair of the Center’s Board of Directors, and Mr. Juan Enrique Vargas Viancos, in his capacity as its Executive Director. The delegations of Canada, Chile, Costa Rica, Ecuador, Paraguay, Peru, and the United States then spoke. The delegations offered their comments on the report and asked the Center to provide technical

studies to assist the meeting of government experts on mutual legal and judicial cooperation in criminal matters. It was also important, the meeting noted, for the region's states to support the work of the Center by making the voluntary contributions needed for it to discharge its duties. During the discussion of this question, the Chair was transferred, on a temporary basis and until the end of the session, to the Head of the delegation of Canada, the meeting's Second Vice President. The Chair suggested that the plenary take note of the proposals and forward them to the Working Group.

6. Fifth plenary session

The fifth plenary session began at 11:15 a.m. with a presentation from the Inter-American Juridical Committee, made by its Vice Chair, Mr. Brynmor Thornton Pollard. He offered some thoughts and comments on REMJA-IV's agenda and the work it had carried out.

The Executive Secretary of the Inter-American Commission of Women, Ms. Carmen Lomellin, then submitted the report "Mainstreaming the Gender Perspective into the Programs and Policies of Ministries of Justice and Offices of Attorneys General" (REMJA-IV/doc.17/02).

The plenary then took note of the information provided by Mr. Jaime Aparicio, Director of the OAS Office of Summit Follow-up.

After listening to the statement by the Chair of the Working Group, Mr. Mackisack Logie, the plenary unanimously adopted the recommendations of REMJA-IV, which are contained in the next chapter of this report.

Lastly, the plenary approved the following declaration and resolutions:

1. Declaration REMJA-IV/DEC.1/02 rev. 1, "Support for the Promotion of Peace and the Defense of Democracy and Fundamental Freedoms in Colombia," and
2. Resolution REMJA-IV/RES. 1/02 rev. 1, "Expression of Gratitude to the Government and People of the Republic of Trinidad and Tobago," and resolution REMJA-IV/RES. 2/02 rev.1, "Congratulations to the President of the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas."

7. Closing session

The closing session then began. During this ceremony, statements were made by Dr. Enrique Lagos, the Assistant Secretary for Legal Affairs of the OAS General Secretariat, and by the President of REMJA-IV, the Honorable Glenda Morean, Attorney General of the Republic of Trinidad and Tobago.

At 1:10 p.m. on March 13, 2002, the President declared the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas closed.

CHAPTER IV

CONCLUSIONS AND RECOMMENDATIONS

After concluding the discussion of its different agenda items, the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, convened under the aegis of the OAS by means of resolution AG/RES.1781 (XXXI-O/01), adopted the following recommendations,^{11/} to be brought before the Permanent Council of the OAS for submission at the thirtieth regular session of the General Assembly.

I. LEGAL AND JUDICIAL COOPERATION IN FIGHTING TRANSNATIONAL ORGANIZED CRIME AND TERRORISM

The damage caused and the threat posed by the different types of transnational organized crime and terrorism, both to our democracies and to the economic and social development of our states, make it necessary and urgent to strengthen and enhance mutual legal and judicial cooperation at the hemispheric level.

In this regard, REMJA-IV agrees to initiate a process aimed at the adoption of a hemispheric Plan of Action in the area of mutual legal and judicial cooperation in order to join forces to combat the various manifestations of transnational organized crime and terrorism, in keeping with the commitment made by the Heads of State and Government at the Third Summit of the Americas.

To that end, REMJA-IV recommends:

1. That states that have not yet done so take the following necessary measures, as soon as possible, in order to:
 - a. Sign and ratify, ratify, or accede to, as appropriate, the inter-American treaties on legal and judicial cooperation in criminal matters, including the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials; the Inter-American Convention on Mutual Assistance in Criminal Matters; the Inter-American Convention on Extradition; and the Inter-American Convention against Corruption.
 - b. Sign and ratify, ratify, or accede to, as appropriate, the United Nations Convention Against Transnational Organized Crime and the Protocols thereto.
 - c. Establish necessary domestic measures for the effective use of the aforementioned international instruments.

11. These recommendations are published in document REMJA-IV/doc.25/02 rev. 2.

- d. Appoint their respective central authorities for the inter-American treaties on mutual legal and judicial cooperation in criminal matters.
 - e. Respond to the questionnaire prepared by the OAS General Secretariat relating to the Inter-American treaties on legal and judicial cooperation in criminal matters.
2. That the states continue to participate actively in the work of the Inter-American Committee against Terrorism (CICTE) and in the negotiation process for an inter-American convention in this area, paying special attention to the need to strengthen mechanisms for hemispheric cooperation and considering the link between transnational organized crime and terrorism.
 3. That the OAS General Secretariat conclude, on the basis of the information provided by the states, studies on the obstacles they encounter both to signing, ratifying, acceding to, and implementing the inter-American treaties on legal and judicial cooperation in criminal matters and to making mutual legal assistance in countering the different types of transnational organized crime more effective, flexible, timely, and efficient.
 4. That, in the framework of the work of the Special Group of the OAS Permanent Council entrusted with implementing the REMJA recommendations, a group of governmental experts in the area of mutual legal and judicial cooperation in criminal matters be convened as soon as possible, including the central authorities for the inter-American treaties on legal and judicial cooperation in this area, with the mandate of drawing up a proposed hemispheric Plan of Action to consolidate and enhance mutual legal and judicial cooperation in combating the various manifestations of transnational organized crime and terrorism. The said proposal will be submitted to REMJA-V for consideration and approval.

In the formulation of the proposed Plan of Action, the following points, *inter alia*, should be taken into account:

- a. The proposal should be comprehensive in nature and refer to all aspects needed to consolidate and enhance mutual legal and judicial cooperation in combating the various forms of transnational organized crime and terrorism, specify the measures that should be promoted or adopted in each case, and define related goals to allow for periodic follow-up to the progress made in achieving them.
- b. The progress made in this field, the actions taken in the REMJA process, and those taken or being promoted in specific areas in the framework of other organs or intergovernmental meetings at the hemispheric level, such as CICTE, the Consultative Committee of the Inter-American Convention against the Illicit Manufacture of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), and the Follow-up Mechanism of the Inter-American Convention against Corruption.

- c. The progress made in this area both in the United Nations and in subregional organizations, for example the CARICOM Ministerial Consultation on the United Nations Convention Against Transnational Organized Crime and the protocols thereto, and the CARICOM High-Level Meeting on Drugs and Crime, both held in Port-of-Spain at the end of 2001.
- d. The necessity and advisability of moving toward an improved information exchange network for mutual legal assistance in criminal matters, as a basic part of a strategy for hemispheric cooperation in this area.
- e. The importance of incorporating as a part of the Plan of Action, technical and financial support programs, training programs, the exchange of experiences, and other forms of cooperation that will allow for the full participation of all states.
- f. The importance of considering the social scope of justice with a view to strengthening mutual legal and judicial cooperation and making it more effective.
- g. The advisability of improving mechanisms for extradition in the Hemisphere, including consideration of the adoption of temporary extradition, as appropriate under national law, in order to avoid impunity.
- h. The advisability of adopting the necessary domestic legislative measures to ensure the seizure of assets and the return of funds obtained illegally as a result of corruption, as well as strengthening means of communication on this topic between the OAS and the UN in order to avoid a duplication of efforts.

5. That the OAS General Secretariat organize a cooperation program for promoting the ratification and implementation of the Inter-American Convention against Corruption in those Caribbean states that have not yet done so.

II. INFORMATION EXCHANGE NETWORK FOR MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

Taking into account the usefulness and importance of a hemispheric mutual legal assistance network, as well as the mandates of the Third Summit of the Americas and resolution AG/RES. 1781 (XXXI-O/01) of the OAS General Assembly, REMJA-IV recommends:

- 1. That the Working Group, made up of Argentina, The Bahamas, Canada, and El Salvador, with the support of the OAS General Secretariat, continue its activities so that said network may extend to all countries of the Americas.
- 2. That the network gradually incorporate useful information on areas related to mutual legal assistance in criminal matters.

3. That further consideration be given to the idea of creating a secure private network for use by authorized government officials from the American states.
4. That a meeting of central authorities and other experts be held in the area of mutual legal assistance with the following objectives:
 - a. To consider various useful alternatives for expanding the information exchange network.
 - b. To analyze the challenges that all OAS member states have to encounter with regard to mutual legal assistance and to propose solutions.
5. That the offer by the Government of Canada to host the meeting of central authorities and other experts, referred to in the previous paragraph, be accepted.

III. IMPROVING THE ADMINISTRATION OF JUSTICE

With regard to the areas considered at this meeting concerning the improvement of the administration of justice, REMJA-IV recommends:

1. That a register of alternative means of conflict resolution be established at the inter-American level that will refer to the services provided by governmental and nongovernmental centers, as well as programs dealing with the topic in the Hemisphere.
2. That the Justice Studies Center of the Americas (CEJA) compile the information in said register and disseminate the alternative means of conflict resolution used in different countries in order to promote the adoption of these mechanisms in national legislations.
3. That, in the framework of the OAS, a meeting be convened of officials responsible for the penitentiary and prison policies of the OAS member states for the purpose, *inter alia*, of promoting the exchange of information and experiences among them regarding the formulation, development, and evaluation of public policies in this field, including the proposal to set up a permanent information exchange network in this area through the Internet.

IV. CYBER-CRIME

REMJA-IV recommends:

1. That the states complete the questionnaire prepared by the OAS General Secretariat in order to assess the progress made and with a view to implementing as soon as possible the recommendations drawn up by REMJA-III on the fight against cyber-crime.

2. That, in the framework of the activities of the OAS working group to follow up on the REMJA recommendations, the Group of Governmental Experts on Cyber-Crime be reconvened and given the following mandate:
 - a. To follow up on implementation of the recommendations prepared by that Group and adopted by REMJA-III, and
 - b. To consider the preparation of pertinent inter-American legal instruments and model legislation for the purpose of strengthening hemispheric cooperation in combating cyber-crime, considering standards relating to privacy, the protection of information, procedural aspects, and crime prevention.

V. JUSTICE STUDIES CENTER OF THE AMERICAS

REMJA-IV recommends:

1. Expressing its satisfaction that the Justice Studies Center of the Americas (CEJA) has successfully launched its activities and is carrying out major projects to support the modernization of justice in the region, and welcoming the 2001 Annual Report and the 2002 Work Plan presented by CEJA.
2. Requesting CEJA to provide technical studies to the meeting of governmental experts on mutual legal and judicial cooperation in criminal matters, taking into account its consultations with the different actors in this field.
3. Urging CEJA to make available to the Network on Mutual Legal Assistance in Criminal Matters the work that is being done with institutions in the judicial sector associated with it, and to make necessary efforts to cooperate with the Network as efficiently as possible.
4. Reaffirming the need for various states of the region to support the work of CEJA by making the necessary voluntary contributions as soon as possible to allow the institution to carry out its mandate.
5. Requesting CEJA to provide training to the OAS member states within its mandate and the framework of available financial resources.
6. Urging the multilateral financing institutions to support implementation of the initiatives of this meeting.

Port-of-Spain, Trinidad and Tobago, March 13, 2002

FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS
March 10-13, 2002
Port-of-Spain, Trinidad and Tobago

OAS/Ser.K/XXXIV.4
REMJA-IV/doc.22/02 rev.1
19 March 2002
Original: Spanish

OFFICERS OF THE FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS

President: The Honorable Senator Glenda Morean,
Attorney General of the Republic of Trinidad and Tobago

First Vice President: Mrs. Elizabeth Süssekind
National Secretary of Justice of Brazil

Second Vice President Mr. Martin Cauchon
Minister of Justice and Attorney General of Canada

Working Group

Chair: Mr. Mackisack Logie
Charge d'Affaires of the Embassy of Trinidad and Tobago
in Washington, D.C.

Vice Chair: Mr. Augusto Quintana
Advisor
Juridical Division
Ministry of Justice of Chile

FOURTH MEETING OF MINISTERS OF JUSTICE OR
OF MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS
March 10-13, 2002
Port-of-Spain, Trinidad and Tobago

OEA/Ser.K/XXXIV.4
REMJA-IV/DEC.1/02 rev. 1
19 March 2002
Original: English

REMJA-IV/DEC.1/02

SUPPORT FOR THE PROMOTION OF PEACE AND THE DEFENSE OF DEMOCRACY
AND FUNDAMENTAL FREEDOMS IN COLOMBIA

(Adopted at the fifth plenary session, held on March 13, 2002)

The participants in the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, gathered in Port-of-Spain, Trinidad and Tobago, express their firm and decisive support for the efforts carried out by President Andrés Pastana and by the people of Colombia in the construction of a firm and lasting peace, which allows for the promotion of the nation's economic and social development.

They support the decision adopted by the Government of Colombia to end the process of dialogue with the Revolutionary Armed Forces of Colombia (FARC) after that group failed to demonstrate a sincere will for peace and persisted in carrying out terrorist actions against infrastructure assets, attacks against the civilian population, and grave criminal acts such as kidnappings and extortion, as well as its involvement in the illicit traffic of drugs.

The participants in the Meeting express their strongest possible condemnation of all terrorist actions undertaken by the illegal armed groups operating in Colombia, which are prohibited by International Humanitarian Law, and call on said groups to strictly observe this body of law.

They congratulate and express their support to the people and authorities of Colombia on the successful outcome of the elections held on March 10, in which, with the renewal of their legislative bodies, Colombians once again showed their firm commitment to democracy and its institutions, and rejected violence as a means of political action.

ANNEX III

FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS
March 10-13, 2002
Port-of-Spain, Trinidad and Tobago

OEA/Ser.K/XXXIV.4
REMJA-IV/RES. 1/02 rev. 1
19 March 2002
Original: Spanish

REMJA-IV/RES. 1/02

EXPRESSION OF GRATITUDE TO THE GOVERNMENT AND PEOPLE
OF THE REPUBLIC OF TRINIDAD AND TOBAGO

(Approved at the fifth plenary session, held on March 13, 2002)

THE FOURTH MEETING OF MINISTERS OF JUSTICE OR OF MINISTERS OR
ATTORNEYS GENERAL OF THE AMERICAS,

BEARING IN MIND the warm welcome and kind hospitality of the people and Government
of the Republic of Trinidad and Tobago at the Fourth Meeting of Ministers of Justice or of Ministers
or Attorneys General of the Americas,

RESOLVES:

1. To express its most sincere gratitude to the Government and people of the Republic
of Trinidad and Tobago for their excellent work, which ensured the success of the deliberations of the
Meeting, and for the many kindnesses and courtesies extended and the facilities provided to the
delegations and to the General Secretariat of the Organization of American States.

2. To express its special thanks to the personnel of Trinidad and Tobago who worked at
the Meeting for their cooperation and support.

ANNEX IV

FOURTH MEETING OF MINISTERS OF JUSTICE
OR OF MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS
March 10-13, 2002
Port-of-Spain, Trinidad and Tobago

OEA/Ser.K/XXXIV.4
REMJA-IV/RES. 2/02 rev. 1
19 March 2002
Original: Spanish

REMJA-IV/RES. 2/02

CONGRATULATIONS TO THE PRESIDENT OF THE FOURTH MEETING OF MINISTERS
OF JUSTICE OR OF MINISTERS OR ATTORNEYS GENERAL
OF THE AMERICAS

(Adopted during the fifth plenary session held on March 13, 2002)

THE FOURTH MEETING OF MINISTERS OF JUSTICE OR OF MINISTERS OR
ATTORNEYS GENERAL OF THE AMERICAS,

RECOGNIZING the excellent way in which the Honorable Senator Glenda Morean,
Attorney General of the Republic of Trinidad and Tobago, has presided over the proceedings of the
Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas,

RESOLVES:

To congratulate the Honorable Senator Glenda Morean, Attorney General of the Republic of
Trinidad and Tobago, President of the Fourth Meeting of Ministers of Justice or of Ministers or
Attorneys General of the Americas, for her efficiency and skill in presiding over the proceedings of
the Meeting.

ANNEX V

CUARTA REUNIÓN DE MINISTROS DE JUSTICIA
O DE MINISTROS O PROCURADORES GENERALES
DE LAS AMÉRICAS
10 al 13 de marzo de 2002
Puerto España, Trinidad y Tobago

OEA/Ser.K/XXXIV.4
REMJA-IV/doc.1/02 rev. 1
20 marzo 2002
Original: Textual

LISTA DE DOCUMENTOS REGISTRADOS POR LA SECRETARÍA
HASTA EL 20 DE MARZO DE 2002

Clasificación y No de trabajo OEA/Ser.K/XXXIV.4 REMJA-IV/doc.	Título ^{12/}	Idioma ^{13/}
REMJA-IV/doc.1/02 MJ00179T01	Lista de documentos registrados por la Secretaría al 20 de marzo de 2002)	Textual
REMJA-IV/doc.2/02 MJ00180S01	Temario (Aprobado por el Consejo Permanente en su sesión celebrada el 14 de febrero de 2002)	E I F P
REMJA-IV/doc.2/02 rev. 1 MJ00208S0	Temario (Aprobado en la primera sesión plenaria celebrada el 11 de marzo de 2002)	E I F P
REMJA-IV/doc.3/02 MJ00181S01	Proyecto de Calendario (Aprobado por el Consejo Permanente en su sesión celebrada el 13 de febrero de 2002)	E I F P
REMJA-IV/doc.3/02 corr. 1 MJ00191S01 (corr. 1 solo español)	Proyecto de Calendario (Aprobado por el Consejo Permanente en su sesión celebrada el 13 de febrero de 2002)	E
REMJA-IV/doc.3/02 corr.2 MJ00194S01	Proyecto de Calendario (Aprobado por el Consejo Permanente en su sesión celebrada el 13 de febrero de 2002)	E
REMJA-IV/doc.3/02 rev. 1 MJ00200S01	Proyecto de Calendario (Aprobado por el Consejo Permanente en su sesión celebrada el 13 de febrero de 2002)	E I F P

12.. Título registrado en el idioma original

13. E= español, I= inglés, F =francés, P= portugués

REMJA-IV/doc.3/02 rev. 2 MJ00209S01	Calendario (Aprobado en la primera sesión plenaria celebrada el 11 de marzo de 2002)	E I F P
REMJA-IV/doc.4/02 MJ00182T01	EXTRADICIÓN “Información recibida de Estados miembros de la OEA sobre lista de requisitos (“Checklist”) para la admisión de la extradición”	Textual
REMJA-IV/doc.5/02 MJ00183S01	GLOSARIO DE TÉRMINOS JURÍDICOS “Recopilación de la información recibida de Estados miembros de la OEA sobre glosarios de términos jurídicos de uso común en materia de extradición”	E I F P
REMJA-IV/doc.6/02 MJ00184T01	ASISTENCIA JURÍDICA MUTUA “Información recibida de Estados miembros de la OEA sobre formularios modelo para solicitudes intergubernamentales de asistencia jurídica mutua”	Textual
REMJA-IV/doc.7/02 MJ00185T01	DECOMISO DE ACTIVOS “Información recibida de Estados miembros de la OEA en materia de decomiso de activos”	Textual
REMJA-IV/doc.8/02 MJ00186S01	EXTRADICIÓN “Análisis preliminar de la información recibida de Estados miembros de la OEA sobre lista de requisitos (Checklist) para la admisión de la extradición	E I
REMJA-IV/doc.9 MJ00187T01	EXTRADICIÓN “Información difundida en materia de extradición en la página de la OEA en Internet”	Textual
REMJA-IV/doc.9 corr. 1 MJ00193T01	EXTRADICIÓN “Información difundida en materia de extradición en la página de la OEA en Internet”	Textual
REMJA-IV/doc.10/02 MJ00188S01	Los tratados interamericanos de cooperación jurídica y judicial: un análisis de su vigencia a través del estado de firmas y ratificaciones	E I
REMJA-IV/doc.11/02 MJ00189S01	TEMARIO ANOTADO Cuarta Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas (REMJA-IV) (Documento elaborado por la Subsecretaría de Asuntos Jurídicos, Departamento de Cooperación y Difusión Jurídica, a solicitud del Grupo de Trabajo Especial)	E I F P

REMJA-IV/doc.12/02 MJ00190S01	Aprobación del Temario de la Cuarta Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas (Resolución aprobada en el Consejo Permanente CP/RES. 809 , CP09249)	E I F P
REMJA-IV/doc.13/02 MJ00192S01	Métodos Alternativos de Resolución de Conflictos en los Sistemas de Justicia de los Países Americanos	E I
REMJA-IV/doc.14/02 MJ00195S0	Proyecto de Cuestionario para dar Seguimiento a las Recomendaciones de la Remja en Materia de Delito Cibernético	E I F P
REMJA-IV/doc.15/02 MJ00196S01	Proyecto de Cuestionario en relación con los Tratados Interamericanos de Cooperación Jurídica y Judicial	E I F P
REMJA-IV/doc.15/02 corr. 1 MJ00198S01	Proyecto de Cuestionario en relación con los Tratados Interamericanos de Cooperación Jurídica y Judicial	E F P
REMJA-IV/16/02 MJ00197S01	La Cooperación Internacional en casos de Corrupción y Repatriación de fondos provenientes de la Corrupción(Documento presentado por la Misión Permanente del Perú)	E I F P
REMJA-IV/17/02 MJ00199S01	La Incorporación de la Perspectiva de Genero en los Programas y Políticas de los Ministros de Justicia o de las Oficinas de los Productores Generales (CIM)	E I
REMJA-IV/doc.18/02 MJ00202S01	Programa Nacional de Cárceles Saludables (Documento presentado por la Delegación de Argentina)	E I F P
REMJA-IV/doc.19/02 MJ00203S01	Acceso a la Justicia: Medios Alternativos de Resoluciones de Conflictos y otros Mecanismos (Documento presentado por la Delegación de Argentina)	E I F P
REMJA-IV/doc.20/02 MJ00207S01	Informe de Relatoría de la Sesión Especial de la Comisión de Asuntos Jurídicos y Políticos para la Promoción del Derecho Internacional Humanitario	E I F P
REMJA-IV/doc.21 MJ00212T01	Lista de Participantes	T

REMJA-IV/doc.22/02 MJ00213S01	Autoridades de la Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas	E I F P
REMJA-IV/doc.22/02 rev.1 MJ00234S01	Autoridades de la Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas	E I F P
REMJA-IV/doc.24/02 MJ00221S01	Informe Final de la Cuarta Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas (Informe provisional)	E I F P
REMJA-IV/doc.24/02 rev. 1 MJ00239S01	Informe Final de la Cuarta Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas	E I F P
REMJA-IV/doc.25/02 MJ00229S01	Proyecto de Recomendaciones de la REMJA-IV (Documento presentado por el Grupo de Trabajo)	E I F P
REMJA-IV/doc.25/02 rev.1 MJ00235S01	Recomendaciones de la REMJA-IV (Aprobadas en la quinta sesión plenaria, celebrada el 13 de marzo de 2002)	E I F P
<u>REMJA-IV/INF.</u>		
REMJA-IV/INF.1/02 MJ00206S01	Palabras del Secretario General de la OEA, César Gaviria, en la Cuarta Reunión de Ministros de Justicia o de Ministros o Procuradores Generales de las Américas	E I
REMJA-IV/INF.2/02 MJ00222S01	Palabras da Secretária Nacional de Justicia do Brasil Dra. Elizabeth Sussekind	P
REMJA-IV/INF.3/02 MJ00223S01	Política Penitenciaria Mexicana (Documento Presentado por la Delegación de México)	E
REMJA-IV/INF.4/02 MJ00230S01	Palabras de la Delegación de Colombia en la REMJA-IV, (segunda sesión plenaria.)	E
<u>REMJA-IV/DEC.</u>		
REMJA-IV/DEC.1/02 MJ00233S01	Apoyo a la Promoción de la Paz y la Defensa de la Democracia y las Libertades Fundamentales en Colombia	E I F P
REMJA-IV/DEC.1/02 rev.1 MJ00238S01	Apoyo a la Promoción de la Paz y la Defensa de la Democracia y las Libertades Fundamentales en Colombia (Aprobada en la quinta sesión plenaria, celebrada el 13 de marzo de 2002)	E I F P

REMJA-IV/RES.

REMJA-IV/RES.1/02 MJ00224S01	Agradecimiento al Gobierno y al Pueblo de la República de Trinidad y Tobago	E I F P
REMJA-IV/RES.1/02 rev.1 MJ00237S01	Agradecimiento al Gobierno y al Pueblo de la República de Trinidad y Tobago(Aprobada en la quinta sesión plenaria, celebrada el 13 de marzo de 2002)	E I F P
REMJA-IV/RES.2/02 MJ00225S01	Felicitaciones a la Presidenta de la Cuarta Reunión de Ministros de Justicia o Procuradores Generales de las Américas	E I F P
REMJA-IV/RES.2/02 rev.1 MJ00236S01	Felicitaciones a la Presidenta de la Cuarta Reunión de Ministros de Justicia o Procuradores Generales de las Américas (Aprobada en la quinta sesión plenaria, celebrada el 13 de marzo de 2002)	E I F P

REMJA-IV/OD.

REMJA-IV/OD.1/02 MJ00201S01	Orden del día, domingo 10 de marzo de 2002	E I F P
REMJA-IV/OD.2/02 MJ00204S01	Orden del día, lunes 11 de marzo de 2002	E I F P
REMJA-IV/OD.3/02 MJ00211S01	Orden del día, martes 12 de marzo de 2002	E I F P
REMJA-IV/OD.4/02 MJ00211S01	Orden del día martes 12 de marzo de 2002, para la tarde	E I F P
REMJA-IV/OD.5/02 MJ00216S01	Orden del día miércoles 13 de marzo de 2002	E I F P