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REPORT ON THE INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW [AG/RES. 2503 (XXXIX-O/09)]

Activities of the Department of International Law,
Secretariat for Legal Affairs during 2009

(Document prepared by the Department of International Law)



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Introduction to the Report

Dr. Dante Negro, Director of the Department of International Law

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The Inter-American Program for the Development of International Law was adopted by the OAS General Assembly in Lima, Peru in 1997, in keeping with the principles and purposes set forth in the OAS Charter and bearing in mind the 1996 Panama Declaration on the Inter-American Contribution to the Development and Codification of International Law.

The objective of this Program is to implement activities in the Hemisphere for the dissemination of inter-American treaties, the legal development of OAS organs, the teaching of inter-American international law, the dissemination of publications, and cooperation for development.

Since it was adopted, it has been the Department of International Law in the Secretariat for Legal Affairs that has had the primary responsibility for implementing it; over the past 12 years, it has initiated a variety of activities in compliance with it.

This document contains a report on implementation of the Program in the course of the past year, in the framework of Resolutions AG/RES. 2405 (XXXVIII-O/08) and AG/RES. 2503 (XXXIX-O/09), and the Inter-American Program for the Development of International Law.



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Activities of the Department of International Law,
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Executive Summary

The Department of International Law of the Secretariat for Legal Affairs is pleased to present the report on the activities related to the Inter-American Program for the Development of International Law.

As in previous years, the Department has continued to strengthen the traditional annual Course on International Law and the Workshops on International Law. Unlike previous years, this year the Course on International Law was enriched by granting additional scholarships to Afro-descendent youth from all parts of the Americas. This helped to provide an opportunity for persons belonging to a vulnerable group to attend this course, and it generated an atmosphere of pluralism and empathy throughout the course.

With regard to the Workshops on International Law, for the first time in the ten years these events have been organized, we were able to fulfill a longstanding desire, namely to finance interpretation services. This enabled us to include in the workshops English-speaking professors from countries such as the United States, and especially representatives from English-speaking Caribbean countries, which led to an interesting exchange of views among representatives of the two legal traditions coexisting in the Hemisphere.

As is known, in recent months the Department of International Law has considerably expanded its activities by incorporating a series of projects on various issues. This has led to an increase in the Department's different activities to promote and disseminate international law, especially in areas such as indigenous peoples and Afro-descendants, access to justice, and family and child law.

At the same time, both the Director and the staff of the Department of International Law have once again participated in various conferences, discussion groups, classes, and other events on subjects linked to international law, the inter-American system, and the work of the OAS in different forums.

The Department has continued its efforts to disseminate international law through publications, and on its web site. In addition, as a way of more widely disseminating information on its activities, the Department of

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International Law has launched a quarterly information newsletter, which is available on the web page and is also circulated via e-mail.

The Department has continued its work of processing instruments of ratification and adherence, notifications, certifications, reports, and the like in conjunction with international treaties and other agreements.

Finally, the Department of International Law has furthered its relations of cooperation with those entities with which it maintains agreements for the promotion and dissemination of international law, and it has approached other organizations or authorities linked to specific areas of international law.

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I. Background

The Inter-American Program for the Development of International Law (hereinafter “the Program”) was adopted by the General Assembly that met in Lima, Peru in 1997, in resolution AG/RES. 1471 (XXVII-0/97). The Program contains a description of the different areas, activities, and objectives to be developed on a continuous, permanent basis by the Organization in order to ensure the development, promotion, and effective application of international law drafted by the inter-American system.^{1/}

The Program arose from the “Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law” (AG/Dec.12 (XXVI-0/96)), adopted at the General Assembly in Panama in June 1996.^{2/} Since 1997, successive General Assembly resolutions have set the Program in motion and indicated its priority areas.

In June 2009, the General Assembly met in Panama and, in Resolution AG/RES. 2503 (XXXIX-O/09), it reaffirmed the importance of the Program and requested the Department of International Law to continue implementing the activities listed in the Program, including the following: holding courses, meetings, and workshops to enhance knowledge of international law, with an emphasis on the inter-American system; and, disseminating the activities and laws of the inter-American system through publications and its web page.^{3/}

II. Courses and workshops on international law and the inter-American system

The following courses and workshops were developed by the Department of International Law of the Secretariat for Legal Affairs in the course of the year:

1. For the full text of the Program, refer to the annexes.
2. For the full text of the Declaration of Panama, refer to the annexes.
3. For the resolution adopted on the Program at the last regular session of the General Assembly, refer to the annexes.



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A. 36th Course on International Law

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The 36th Course on International Law, organized by the Inter-American Juridical Committee and the Department of International Law of the OAS Secretariat for Legal Affairs, took place in Rio de Janeiro, August 3-21, 2009. This is one of the most important academic events implemented under the Program, which has been offered every year since 1974.

The general theme of the course selected for this year by the academic coordinators was “Universality and Regionalism at the Outset of the 21st Century.” For three weeks various subjects of public and private international law were taught, with a special emphasis on topical regional and global issues. Matters related to the inter-American system, defense of democracy, the phenomenon of climate change, the international financial system in the throes of the current global crisis, cross-border contamination, and integration processes were taken up. Classes were also given on topics on the Organization’s agenda, such as the human rights of migrants, the Draft Declaration on the Rights of Indigenous Peoples, and the Draft Convention against Racism and all forms of Discrimination and Intolerance.

Leading experts in the field of international law participated as professors, including Dr. Antonio Augusto Cançado Trindade, a member of the International Court of Justice; members of the Inter-American Juridical Committee; professors from various universities in the region and in Europe, including Paulo Borba Casella (Brazil) and Jorge Cardona (Spain); and, specialists from the OAS General Secretariat.

A total of 36 students from various countries of the Hemisphere participated, and 24 of them attended as OAS scholarship recipients. The students were young professionals who work in their countries in areas related to international law or international relations.

The annual publication issued by the Department of International Law, which should be completed for next year, will cover the course material and become part of the bibliographical pool of information in the inter-American system.

In addition, and as a way of encouraging the students to do research, the course coordinators arranged for students to receive not only an attendance certificate, granted to all those who attend and meet the course requirements (including two exams), but also a “certificate of approval,” which is granted to those students who have presented an original research paper. A group of seven students in the course presented their studies, involving further research on subjects taught in the course linked to the inter-American system and



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international law in general. The course coordinators are currently evaluating these papers.

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B. Workshops on International Law

February 2-5, 2010, the tenth series of Workshops on International Law was conducted, an annual event organized by the Department of International Law of the Secretariat for Legal Affairs, in implementation of the Program. The workshops this year took place in San José, Costa Rica, at the headquarters of the Inter-American Institute of Human Rights, which offered valuable support for the event.

The purpose of this annual event is to bring together a group of international law professors from all parts of the region to foster debate on subjects of current interest in this area, and to discuss issues related to teaching international law in universities throughout the Hemisphere.

This year 28 leading professors and specialists from various countries and universities in this region and Europe, and from the OAS General Secretariat, participated in the workshops. The group included professors from the English-speaking Caribbean, professors from Latin America, professors from Spain, professors from the United States, and a large contingent of professors from the host country, Costa Rica.

During the workshop, participants discussed topics such as democracy in the inter-American system, current trends in private international law, teaching of international law, current human rights issues, and new trends in the jurisprudence of the International Court of Justice, among others.

The workshop had simultaneous interpretation, which allowed the participation of English-speaking professors, including professors from the English-speaking Caribbean. The event was considerably enriched by the dialogue among representatives of different legal systems. With this event, the Department of International Law was able to satisfy a long-held desire to achieve a more representative participation of all the regions of the Hemisphere in the workshops, leading to a greater potential impact and dissemination of issues related to international law in general and to the inter-American system in particular to more countries and more people in the Hemisphere.

As a result of the workshops, it is hoped that participants will not only form an important regional network, but will also develop strategies to incorporate certain issues related to the inter-American system into the study programs of their respective educational institutions, and, in addition, endeavor to implement specific proposals on teaching international law in the region that were made during the workshops.



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C. Refresher training courses in international law

1. Fourth Course on International Humanitarian Law

The Department of International Law organized the Fourth Course on International Humanitarian Law, which was held within the framework of the Committee on Juridical and Political Affairs on Thursday, January 28, 2010, at the headquarters of the OAS General Secretariat in Washington, D.C. (Padilha Vidal Meeting Room). It was organized in compliance with the mandate contained in Resolution AG/RES 2507 (XXXIX-O/09).

This event also received the technical and financial support of the International Committee of the Red Cross (ICRC), an entity with which the Department of International Law has a cooperation agreement, including cooperation for events to promote and disseminate international law, among other things.

The course was directed to the personnel of the Permanent Missions of OAS member states, the staff of the General Secretariat, and other interested persons. All of the places allotted for the course were filled.

The classes were taught by renowned specialists from the ICRC, in addition to experts on international humanitarian law who came from Sweden, Mexico, and Peru, among others countries.

2. Second Course on International Law on Refugees

The Department of International Law organized the 2nd Course on International Law on Refugees, within the framework of the Committee on Juridical and Political Affairs (CAJP) of the OAS Permanent Council.

Moreover, this event received the technical and financial support of the United Nations High Commissioner for Refugees (UNHCR), an entity with which the General Secretariat maintains a cooperation agreement under which the Department of International Law serves as contact point.

The course took place on February 17, 2010, in the Padilha Vidal Meeting Room at the headquarters of the OAS General Secretariat in Washington, D.C., and was developed in compliance with a mandate contained in Resolution AG/RES. 2511 (XXXIX-O/09).

This course was directed to the staff of the Permanent Missions of OAS member states, the personnel of the General Secretariat, and other interested parties. All of the spaces for inscription in this course were completely filled.



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UNHCR specialists, in addition to experts on refugee problems and other related issues from Brazil and Ecuador, were responsible for teaching the classes.

III. Activities to disseminate international law and/or the inter-American system carried out under projects and mandates on specific subjects

A. Indigenous peoples

In 2009, the Department of International Law launched the Department's action program to strengthen the participation of indigenous peoples in the inter-American system.

As part of this program, the Department initiated a cycle of training and empowerment courses for indigenous leaders. Courses were taught on good governance, the inter-American system, and the political participation of women, in addition to workshops on the logical framework for project design and fund-raising

To date, two events have been developed. The first was a course on good governance and a workshop on the logical framework, held in Panama City, Panama, November 9-14, 2009. The most recent event was a training seminar on the rights of indigenous peoples in the inter-American system, held in Bogotá, Colombia, December 7-11, 2009. The panelists included specialists in the areas of political science, communications, international relations, public administration, human rights, and international law, such as Flaviano Iglesias, Eduardo Núñez, Gustavo Martínez Pandiani, Pablo Zúñiga, Gabriel Muyuy, Ruth Moya, Leonardo Alvarado, Oswaldo Ruiz, and Yacsire Cutler.

The Department of International Law grants scholarships to the participants in every event, most of whom are indigenous representatives designated by their communities, although it also expects to include members of NGOs and government employees working with indigenous communities.

The organizers hope that the experiences acquired in these events will be replicated in the respective communities or work places. At the end of each of the courses, there will be follow-up activities for scholarship recipients interested in ensuring the continuity of the knowledge they acquired.



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B. Afro-descendants

As in the case of the previous subject, with which it shares as a common denominator the more general issue of diversity and minority groups, in 2009 the Department of International Law launched a project for incorporation of the theme of Afro-descendants in the policies and programs of the Organization of American States.

Under this program, the Department began a cycle of training and empowerment activities for representatives of Afro-descendant organizations in the region

Thus, for the first time in the annals of the Course on International Law held in Rio de Janeiro in August 2009, the Department of International Law granted four additional scholarships to Afro-descendent students, and also invited an Afro-descendent professor to give a class on the subject as part of the course. This added to an atmosphere of pluralism, tolerance, and empathy among the students.

During the Workshops on International Law, four professors from the English-speaking Caribbean participated, and a panel devoted specifically to the subject of Afro-descendants was introduced for the first time.

(Also refer to the different presentations made on the subject in the following section.)

C. Access to justice

On November 5, 2009, the Department of International Law held the first Workshop on Access to Justice in its offices, with a view to promoting the subject in the OAS, in accordance with the mandate contained in the Declaration of Principles of the Second Summit of the Americas in Santiago, Chile, April 18 and 19, 1998. This workshop was conducted in the context of a broader proposal on access to justice developed by the Department of International Law.

The event consisted in a series of presentations by experts on the subject invited for that purpose. The panelists included Javier La Rosa, a professor at Pontificia Universidad Católica of Peru, Linn Hambergren and Richard Messick from the World Bank, Stefano Tinari from the Inter-American Development Bank, and Katya Salazar from the Foundation for Due Legal Process.

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Among the various issues covered in the workshop, the presenters agreed that access to justice is a fundamental right of all persons, hence it is essential to have a reliable data base on the magnitude of the problem in the region; they further agreed on the importance of joining efforts to develop specific, common objectives, in order to improve practices and procedures to eliminate all obstacles to the right of access to justice. In addition, these experts pointed out new trends in dealing with the problem; cooperation on issues related to access to justice should resolve problems beyond access to the courts, and include processes of integration of existing justice systems within the same territory, in an effort to include traditional means for settlement of disputes.

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D. Family and child law. Creation of the Network

The Seventh Meeting of Ministers of Justice or Other Ministers, and Prosecutors or Attorneys General of the Americas (REMJA VII) instructed the OAS General Secretariat to create an inter-American project for legal cooperation and mutual assistance in matters related to family and child law, with a view to facilitating access to the inter-American system of protection for families and children and to promote legal cooperation in the area.

To comply with mandate, the Department of International Law began to implement a hemispheric network of legal cooperation and mutual assistance in matters related to family and child law (“the Network”).

One of the components of the Network is the so-called “public component,” which consists in a public web site with unlimited access, that contains information on domestic and international law on the family and children in every state, as well as contact information on the authorities responsible for international legal cooperation and protection of the family and the child in the country in question.

The objective of the public component of the network is to procure protection of families and children among the member states by disseminating the law, procedures, and contact information on the authorities who oversee protection of the rights of families and children in each state.

In this context, the creation of a virtual legal library with information on inter-American law and the OAS member states in the area of families and children should be seen as an important contribution to the promotional and dissemination work of the Department which by its very nature is closely linked to the Program.

Under this project, on November 3 and 4, the Department of International Law organized a meeting of a pilot group of Spanish-speaking



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countries in Washington D.C., to create an inter-American network for legal cooperation and mutual assistance in matters pertaining to family and child law.

This meeting gave rise to tools and products for the Network, which were used as inputs for REMJA-VII, that approved a technical meeting of all OAS member states. Prior to the technical meeting, the Department of International Law will organize a second pilot group for English-speaking countries on May 4 and 5. This meeting will be used to extend the tools to the participating countries, so that the Network can subsequently be expanded to include all of the countries at the technical meeting scheduled for the second half of 2010.

IV. Presentations by officials of the Department of International Law at different forums

Officials of the Department of International Law have continued to give presentations and papers both at the OAS headquarters and during working missions to member states, as well as in other forums. The presentations offered have to do with the inter-American system and the main topics of legal relevance on the agenda of the Committee on Juridical and Political Affairs specifically and of the Organization in general, in addition to other topics linked to international law and the inter-American system.

The following are some of the activities carried out in 2009, organized by subject:

A. Presentations and classes on the OAS and the inter-American system given at universities

In January 2009, the Director of the Department of International Law gave a presentation on current legal issues in the Organization of American States at Georgetown University in Washington, D.C. The event was organized by the Center for the Advancement of the Rule of Law in the Americas (CAROLA), the Human Rights Institute, and the group entitled “Foreign Lawyers at Georgetown (FLAG).”

In November 2009, the Director of the Department of International Law gave a week of classes at master’s level on International Protection of Human Rights at the University of Alcalá de Henares, in Spain. The classes focused on the defense of human rights in view of the mechanisms for control of human rights in the Organization of American States.

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B. Seminar on Protection of the Right to Health and Other Related Rights of Vulnerable Groups

In June 2009, the Director of the Department of International Law participated in the Seminar on Protection of the Right to Health and Other Related Rights of Vulnerable Groups in the Context of the Inter-American Human Rights System, in San Pedro Sula, Honduras, an event organized by the Pan-American Health Organization. On that occasion, he gave a presentation on legal instruments related to persons with disabilities in the inter-American system.

C. The political challenges of justice reform in Haiti and Latin American experiences

In June 2009, the Director of the Department of International Law participated in an event entitled “Political Challenges of Justice Reform in Haiti and Latin American Experiences,” in Port-au-Prince, Haiti. The event was organized by the Foundation for International Relations and Foreign Dialogue. He spoke at that event on the OAS and policies of cooperation in judicial matters in the region.

D. Access to public information

In October 2009, the Director of the Department of International Law participated at the first Meeting of the Group of Experts to draft the Model Law on Access to Public Information, held in Washington, D.C., at the Organization of American States. On that occasion, he gave a presentation on the inter-American principles governing access to public information.

In November 2009, the Department of International Law participated in and made a presentation during the international week on transparency, to discuss the progress made in the area of access to public information within the inter-American system, and to report on the drafting of the Model Inter-American Law on Access to Public Information. This meeting took place in Mexico City, and was organized by the Federal Institute on Access to Information.

E. International Criminal Court

Last January 27, the Department of International Law held the sixth working meeting on the International Criminal Court at OAS headquarters, under the auspices of the Committee on Juridical and Political Affairs. This was in compliance with a General Assembly mandate on “Promotion of the International Criminal Court,” contained in Resolution AG/RES. 2505 (XXXIX-O/09). On that occasion, the Department of International Law made

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an opening statement to provide background information on the subject in the OAS.

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F. International Humanitarian Law

In February 2010, the Department of International Law participated in and made a presentation at the regional meeting of legal advisors in the area of international humanitarian law (IHL), with a view to summarizing past IHL activities and planning future ones in the region. This meeting was held in Washington, D.C.

G. Indigenous peoples

From Monday, the 18th to Thursday, the 21st of May, 2009, the Eighth Meeting of the Permanent Forum on Indigenous Issues was held in New York City at United Nations headquarters. The forum is an advisory organ of the Economic and Social Council, with the mandate to examine indigenous issues related to economic and social development, culture, education, health, the environment, and human rights. On that occasion, a brief presentation on the status of the Draft American Declaration was made to indigenous representatives of Latin America.

As part of the 36th International Law Course held in August 2009, the Department of International Law made two presentations on the draft declaration currently being under preparation in the OAS:

- “The Draft American Declaration on the Rights of Indigenous Peoples: procedural aspects” (I)
- “The Draft American Declaration on the Rights of Indigenous Peoples: substantive aspects” (II)

H. Discrimination and Afro-descendants

In January 2009, the Department of International Law participated in the Inter-American Afro-Descendant Forum entitled “Ensuring the future of our citizens by promoting human prosperity, energy security, and environmental sustainability,” held in Santo Domingo, Dominican Republic. This Forum was organized by Global Rights Partners for Justice and the Jacques Viau Dominican-Haitian Meeting Network. On that occasion, the Department of International Law made two presentations, one on hemispheric protection standards and the other on the status of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.



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In April 2009, the Director of the Department of International Law gave a presentation on negotiations on the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance and other inter-American standards on the subject, as part of the Meeting of Afro-Descendants prior to the Summit of the Americas, in Port-of-Spain, Trinidad and Tobago. The event was organized by Global Rights Partners for Justice.

In May 2009, the Director of the Department of International Law gave a paper on the negotiating process of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance and the spaces for participation of Afro-descendants in the OAS at a workshop on “Participation and Impact of Afro-descendants in the activities of the Organization of American States,” held in San Pedro Sula, Honduras, and organized by Global Rights Partners for Justice, the Inter-American Foundation, the Organization of Ethnic Community Development (ODECO), and the Central American Black Organization (ONECA).

In July 2009, the Department of International Law participated in the Regional Workshop of the Afro-descendent Women’s Network in Nicaragua, where it made a presentation on the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

During the 36th International Law Course in August 2009, the Department of International Law made the following presentation: “An introduction to the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

In September 2009, a training workshop on “Increasing the Participation and Impact of Afro-Descendants in the OAS and the Summits of the Americas Process” provided another opportunity for the Department of International Law to make a presentation on the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

Finally, during the international law workshops, the Department of International Law was part of a panel on Afro-descendants in which three presentations on the subject were made, one on universal protection, a second on standards for regional protection, and finally a third one on the current status of the Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance and its relationship to Afro-descendants.

I. Other vulnerable groups

In May 2009, the Department of International Law participated as a presenter at the 3rd Workshop on LGBTTI Impact Strategies in the system of the Organization of American States and Participation of the Coalition in the



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OAS General Assembly, in San Pedro Sula, Honduras. The presentation by the Department involved the OAS anti-discriminatory policy and participation of the LGBTTI community in the Organization. The event was organized by Global Rights Partners for Justice and the Latin American Space for Sexuality and Rights.

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J. Private international law

In April 2009, the Department of International Law participated in and gave a presentation at the annual meeting of the American Bar Association, to report on progress achieved in implementing commercial law instruments. This meeting was held in Washington, D.C.

In October 2009, the Department of International Law participated in the annual meeting on progress in private international law to discuss advances in this area from the standpoint of the OAS. The meeting was held in Washington, D.C., and was organized by the United States Department of State.

In February 2010, the Department of International Law participated in the Inter-American Development Bank's Meeting on Secured Transactions in the Americas, to speak on implementation of the Model Inter-American Law on Secured Transactions and its Model Registration Regulations. This meeting was held in Washington, D.C.

In March 2010, the Department of International Law participated in the Colloquium on Secured Transactions at the United Nations Commission on International Trade Law, with a view to presenting the progress achieved by the OAS in this area, as a model to be followed universally by the United Nations system. This meeting took place in the city of Vienna.

In March 2010, the Department of International Law participated in the meeting of the American Society of International Law, to present a status report on private international law in the inter-American system. This meeting was held in Washington, D.C.

V. Publications and virtual bookstore

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

A. 36th Course on International Law

This is a volume comprising a collection of the classes given during the 25th Course, which took place August 4-29, 2008. The book contains 16



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articles (published in the original language of the author) covering various topics of international law, many of which are focused on the inter-American system, and they are part of the series of publications on the course in question.

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B. “Introductory Course on International Humanitarian Law”

This is a version of a volume that was issued earlier, and has been translated into English, with the support of the ICRC. It comprises the presentations made at the First Introductory Course on International Humanitarian Law, which took place on January 31, 2007. The publication also contains a compilation of the principal instruments of international humanitarian law, and so it offers a summary of introductory doctrinal material and basic legal sources in this branch of international law, in a single volume.

In this way, the Department of International Law, together with the International Committee of the Red Cross, has made the effort to make this material available to English-speaking readers, and thereby ensure a wider dissemination of the subject.

C. Reprinting of the OAS Charter

The Department of International Law ordered a reprinting of 500 copies of the OAS Charter, in a bilingual, Spanish-English edition. It is a pocket edition that will help expand the circulation of this founding document of the Organization.

D. Upcoming publications

Following the practice of previous years, the publication of the 36th International Law Course held in August 2009 will be issued and circulated in the course of 2010.

As for publication of the International Law Workshops, a joint publication will be issued in the course of the year, and will include both the workshops held in Campo Grande, Brazil in November 2008, and the ones in San José, Costa Rica in February 2010.

Additional reprints of the OAS Charter and other frequently distributed publications are also expected.



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E. Virtual bookstore

Our catalogue of publications contains around 26 available titles of publications from previous years. This information can be found on our web page: <http://www.oas.org/dil/esp/publicaciones.htm>.

These publications are ordered on a regular basis by various universities and other educational institutions, research workers, students, and interested parties.

VI. Dissemination via the Internet

A. General description of the page

The Department of International Law has an internet page that is updated periodically: www.oas.org/dil. This page is a key tool for promoting and disseminating international law.

The web page contains information on the work of the OAS political organs linked to international law, including international humanitarian law, indigenous peoples, Afro-descendants, refugees and internally displaced persons, the International Criminal Court, racism, discrimination and intolerance, CIDIP, the network on family law, and the like.

Each of these subjects is organized in separate links, that contain information on instruments related to these subjects (General Assembly resolutions, background information on every subject, and all types of relevant instruments), as well as the activities carried out in each of these areas, such as special meetings, courses, etc.

At the same time, the page is an important source of access to documents on the OAS, in areas such as treaties, General Assembly resolutions, model laws, and various instruments of the inter-American system.

The page also contains information on different activities for the promotion and dissemination of international law carried out by the Department of International Law in conjunction with specific programs and projects, in addition to information on courses, workshops, and scholarships.

C. Link to the Inter-American Juridical Committee

The Department's page also contains a specific link devoted to the Inter-American Juridical Committee, which describes the work of the

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Committee, and provides information on its composition, members, current agenda, working documents, annual reports, etc.

http://www.oas.org/cji/comite_juridico_interamericano.htm

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D. Data base of diplomatic academies in the Hemisphere

The Department's web page contains a link, which is periodically updated, with information on diplomatic academies in the hemisphere, including the authorities, contact data, etc. See:

http://www.oas.org/dil/esp/academias_diplomaticas_base_datos.htm

Newsletter

Finally, with a view to disseminating its activities more widely, the Department of International Law has launched a quarterly newsletter, that contains information on the activities developed by the Department. The newsletter is available on the web page, and is also circulated via e-mail.

<http://www.oas.org/dil/esp/Boletin/Ene2010/index.html>

VII. Legal procedures and/or dissemination of inter-American instruments

During 2009, the Department of International Law processed 18 instruments of ratification and adherence, 11 notifications on states of emergency, and 3 notifications under the Inter-American Convention against Corruption, and it received a total of 5 designations of central authorities.

In addition, it prepared certifications and provided complete, up-to-date information on those treaties for which the Organization of American States serves as the official depository.

With regard to bilateral agreements, a total of 150 cooperation agreements were registered by the General Secretariat; they are being digitalized in PDF format, and will be included on the Department's web page.

VIII. Establishment of relations of cooperation

Under the Program, cooperative relations with international organizations and other entities are promoted, as a way of expanding the dissemination of inter-American international law. In this area, to better fulfill the Program's objectives, the Department of International Law maintains cooperative relations with various institutions, such as UNHCR and ICRC,



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which are continuously consolidated through the various types of activities carried out every year with these organizations.

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In this context, and to enhance possibilities of openness and cooperation with other entities, on January 11, 2010, the Department organized a meeting with the Representative of the United Nations Secretary General on the Human Rights of Internally Displaced Persons, Dr. Walter Kälin. In addition to being a world renowned academic authority on international law, Dr. Kälin played a key role in preparation of the Guiding Principles of Internal Displacement, the principal international instrument for the protection of and assistance to internally displaced persons. Dr. Kälin was accompanied by Andrew Solomon, Director of the Bern-Brookings Project on Internal Displacement, which provides support for the Representative of the Secretary General in his functions.

The purpose of the meeting was to learn about the work that the Representative of the UN Secretary General is doing in the area of internally displaced persons, both globally and regionally, and also to report on the work in which the OAS is involved in this area.

A number of cooperation proposals emerged from the visit, both with the Office of the Representative of the United Nations Secretary General on the Human Rights of Internally Displaced Persons, and with the Brookings Institution. They included the possible participation of representatives of these institutions in the work of the Department of International Law to disseminate and promote international law, the possibility of introducing into the inter-American system a process of reflection on the recent international convention on internally displaced persons adopted by the African Union, and the possible drafting of model laws for implementation of the guiding principles domestically, among others. More recently, an invitation was extended for an official of the Department of International Law to participate in the Annual Course on Internal Displacement to be held in June of this year.

IX. Recognition

In addition to establishing cooperative relations, the Program promotes cooperation agreements with various organizations and financing agencies, and with foundations and other public and private institutions that could provide economic support for the work to disseminate, develop, and teach international law.

The Department of International Law has taken steps to engage the financial support of numerous organizations and entities that contribute in various ways to many of the activities mentioned in this report. We would like



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to convey special recognition to all of these organizations and entities for their support of the Program.

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X. Conclusion

In Article 3(a), the OAS Charter reaffirms the principle according to which international law is the standard of conduct of states in their reciprocal relations. To implement international law, it is essential that it be known, and the successive General Assembly resolutions, including Resolution AG/RES. 2503 (XXXIX-O/09), have contributed to this end, reaffirming the importance of the Inter-American Program for the Development of International Law, while reiterating their support for it and requesting the Department of International Law to continue implementing the activities set forth in that instrument.

The Department is making every effort to fulfill this mandate, and intends to continue doing so in the future. The Program has been strengthened over the 13 years it has been in operation, and has become an efficient and effective tool for promoting and disseminating international law and the inter-American system. Its activities and publications are among the most prestigious and important ones on the subject in the region, and contribute to a better knowledge and dissemination of these issues.

Despite these achievements, we believe that it is imperative to continue perfecting the activities carried out in execution of the Program, to expand its activities to promote and disseminate international law in the Americas, and to further explore some of the activities included in the Program. It is therefore important for the political organs to continue giving their support to this Program.



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ANNEXES

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- A. Program of the 36th Course on International, August 3-21, 2009
- B. Program of the Workshops on International Law, San José, Costa Rica, February 2-5, 2010
- C. AG/RES. 2503 (XXXIX-O/09), “Inter-American Program for the Development of International Law;”
- D. AG/RES. 1471 (XXVII-O/97), “Inter-American Program for the Development of International Law;”
- E. AG/DEC. 12 (XXVI-O/96), “Declaration of Panama on the Inter-American Contribution to the Development and Codification of International Law”



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A. Program of the 36th Course on International, August 3-21, 2009

XXXVI Curso de Derecho Internacional

Rio de Janeiro, 3 al 21 de agosto de 2009

“Universalismo y Regionalismo a Inicios del Siglo XXI”

Primera Semana

Lunes 3

9:00 – 9:45

Acreditación

9:45 – 10:30

Inauguración

Jaime Aparicio Otero, Presidente del Comité
Jurídico Interamericano
Palabras de apertura

Jean-Michel Arrighi, Secretario de Asuntos
Jurídicos de la OEA
Palabras de apertura

Ana Elizabeth Villalta Vizcarra, Miembro del
Comité Jurídico Interamericano
Homenaje al Prof. Dr. Felipe Paolillo

10:30 – 11:00

Intervalo

11:00

Breve mensaje de la coordinación del Curso

Martes 4

9:00 – 10:50

Jean-Michel Arrighi
“Desafíos para la Democracia en las Américas”



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Antigua y Barbuda	11:10 – 1:00	Luis García-Corrochano M. , Profesor de Derecho Internacional Público de la Academia Diplomática del Perú. Miembro del IHLADI <i>“La solución de controversias sobre inversiones en el derecho internacional”</i> (I)
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Bahamas		
Barbados		
Belize		
Bolivia		
Brasil		
Canadá	2:30 – 4:30	
Chile		
Colombia		
Costa Rica		
Cuba		
Dominica		
Ecuador		
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Estados Unidos	Miércoles 5	
Grenada		
Guatemala	9:00 – 10:50	Jorge Cardona Llorens <i>“Universalismo y Regionalismo en el Mantenimiento de la Paz a Inicios del Siglo XXI”</i> (II)
Guyana		
Haití		
Honduras		
Jamaica		
México	11:10 – 1:00	Luis García-Corrochano M. <i>“La solución de controversias sobre inversiones en el derecho internacional”</i> (II)
Nicaragua		
Panamá		
Paraguay		
Perú	2:30 – 4:30	Jean-Michel Arrighi <i>“Desarrollos actuales en el sistema interamericano”</i> (I)
República Dominicana		
San Kitts y Nevis		
Santa Lucía		
San Vicente y las Granadinas		
Suriname		
Trinidad y Tobago	Jueves 6	
Uruguay		
Venezuela	9:00 – 10:50	Jorge Cardona Llorens <i>“Universalismo y Regionalismo en el Mantenimiento de la Paz a Inicios del Siglo XXI”</i> (III)
	11:10 – 1:00	
		Luis García-Corrochano M. <i>“La solución de controversias sobre inversiones en el derecho internacional”</i> (III)



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Antigua y Barbuda	2:30 – 4:30	David Stewart , Member of the Inter-American Juridical Committee <i>“Choice of Court Agreements and Enforcement of Judgments”</i> (I)
Argentina		
Bahamas		
Barbados		
Belize		
Bolivia		
Brasil	Viernes 7	
Canadá	9:00 – 10:50	Jorge Cardona Llorens <i>“Universalismo y Regionalismo en el Mantenimiento de la Paz a Inicios del Siglo XXI”</i> (IV)
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Colombia		
Costa Rica		
Cuba		
Dominica		
Ecuador		
El Salvador	11:10 – 1:00	David Stewart <i>“Choice of Court Agreements and Enforcement of Judgments”</i> (II)
Estados Unidos		
Grenada		
Guatemala		
Guyana	2:30 – 4:30	Mauricio Herdocia Sacasa , Miembro del Comité Jurídico Interamericano <i>“Casos americanos recientes ante la Corte Internacional de Justicia y la utilización del Pacto de Bogotá”</i>
Haití		
Honduras		
Jamaica		
México		
Nicaragua		
Panamá		
Paraguay		
Perú		
República Dominicana		
San Kitts y Nevis		
Santa Lucía		
San Vicente y las Granadinas		
Suriname	9:00 – 10:50	Jaime Aparicio Otero , Presidente del Comité Jurídico Interamericano <i>“Democracia y acceso a la información pública”</i>
Trinidad y Tobago		
Uruguay		
Venezuela	11:10 – 1:00	Jonathan T. Fried , Ambassador of Canada to Japan <i>“International Regulation of Trade and Finance: Current Challenges”</i> (I)
	2:30 – 4:30	Jorge E. Viñuales , Counsel, Lévy Kaufmann-Kohler, Ginebra, Suiza. Assistant Professor of International Law, Graduate Institute of International and Development Studies, Geneva, Switzerland

Segunda Semana

Lunes 10

	9:00 – 10:50	Jaime Aparicio Otero , Presidente del Comité Jurídico Interamericano <i>“Democracia y acceso a la información pública”</i>
	11:10 – 1:00	Jonathan T. Fried , Ambassador of Canada to Japan <i>“International Regulation of Trade and Finance: Current Challenges”</i> (I)
	2:30 – 4:30	Jorge E. Viñuales , Counsel, Lévy Kaufmann-Kohler, Ginebra, Suiza. Assistant Professor of International Law, Graduate Institute of International and Development Studies, Geneva, Switzerland



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Jamaica

México

Nicaragua

Panamá

Paraguay

Perú

República Dominicana

San Kitts y Nevis

Santa Lucía

San Vicente y las Granadinas

Suriname

Trinidad y Tobago

Uruguay

Venezuela

“El régimen jurídico internacional relativo al cambio climático: cuestiones de actualidad” (I)

Martes 11

9:00 – 10:50

Jorge E. Viñuales

“El régimen jurídico internacional relativo al cambio climático: cuestiones de actualidad” (II)

11:10 – 1:00

Jonathan T. Fried

“International Regulation of Trade and Finance: Current Challenges” (II)

2:30 – 4:15

Fabián Novak, Miembro del Comité Jurídico Interamericano

“La Protección del Patrimonio Cultural Subacuático en la Convención de la UNESCO de 2001” (I)

Miércoles 12

9:00 – 10:50

Luis Toro Utrillano, Departamento de Derecho Internacional de la OEA

“El Proyecto de Declaración Americana sobre los Derechos de los Pueblos Indígenas: aspectos procedimentales” (I)

11:10 – 1:00

Antônio Augusto Cançado Trindade, Magistrado de la Corte Internacional de Justicia y Profesor de Derecho Internacional de la Universidad de Brasilia y del Instituto Rio Branco, Brasil

“El Derecho Internacional Universal: Fundamentos y Construcciones Conceptuales” (I)

2:30 – 4:30

Fabián Novak

“La Protección del Patrimonio Cultural Subacuático en la Convención de la UNESCO de 2001” (II)



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Antigua y Barbuda	Jueves 13	9:00 – 10:50	Luis Toro Utrillano , Departamento de Derecho Internacional de la OEA <i>“El Proyecto de Declaración Americana sobre los Derechos de los Pueblos Indígenas: aspectos sustantivos” (II)</i>	
Argentina				
Bahamas				
Barbados				
Belize				
Bolivia				
Brasil				
Canadá				
Chile				
Colombia				11:10 – 1:00
Costa Rica				
Cuba				
Dominica				
Ecuador				
El Salvador				
Estados Unidos				
Grenada				
Guatemala				
Guyana				
Haití				
Honduras				
Jamaica				
México				
Nicaragua				
Panamá				
Paraguay				
Perú	Viernes 14			
República Dominicana				
San Kitts y Nevis				
Santa Lucía				
San Vicente y las Granadinas				
Suriname				
Trinidad y Tobago				
Uruguay				
Venezuela				

Tercera Semana

Lunes 17

9:00 – 10:50	María del Luján Flores , Representante Permanente de Uruguay ante la OEA <i>“Universalismo y regionalismo” (I)</i>
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Antigua y Barbuda	11:10 – 1:00	Arturo Santiago Pagliari , Profesor Titular de Derecho Internacional Público, Facultad de Derecho y Ciencias Sociales, Universidad Nacional de Córdoba, República Argentina <i>“Fragmentación del derecho. Efectos y aplicaciones” (I)</i>	
Argentina			
Bahamas			
Barbados			
Belize			
Bolivia			
Brasil			
Canadá			
Chile			
Colombia			
Costa Rica	2:30 – 4:30	Carlos Quesada , Director del Programa de América Latina de Global Rights – Partners for Justice <i>“La discriminación racial como una violación al derecho internacional: estándares internacionales y mecanismos”</i>	
Cuba			
Dominica			
Ecuador			
El Salvador			
Estados Unidos			
Grenada			
Guatemala			
Guyana			
Haití			
Honduras	9:00 – 10:50	María del Luján Flores <i>“Universalismo y regionalismo” (II)</i>	
Jamaica			
México			
Nicaragua			
Panamá			
Paraguay			
Perú			
República Dominicana			
San Kitts y Nevis			
Santa Lucía			
San Vicente y las Granadinas	11:10 – 1:00	Arturo Santiago Pagliari <i>“Fragmentación del derecho. Efectos y aplicaciones” (II)</i>	
Suriname			
Trinidad y Tobago			
Uruguay			
Venezuela			
	2:30 – 4:15		Carlos Quesada <i>“La protección de los derechos humanos de los afro-descendientes en la Organización de los Estados Americanos y sus distintos órganos”</i>
	4:30 – 6:00	Nils Melzer , Legal Adviser, International Committee of the Red Cross <i>“International Humanitarian Law and the Mandate of the International Committee of the Red Cross”</i>	
	9:00 – 10:50	Paulo Borba Casella , Full Professor of Public International Law and Head of the International and Comparative Law Department at the University of São Paulo Law School	

Miércoles 19

9:00 – 10:50

Paulo Borba Casella, Full Professor of Public International Law and Head of the International and Comparative Law Department at the University of São Paulo Law School



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Argentina		
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Barbados		
Belize	11:10 – 1:00	Paula María All , Profesora de derecho internacional privado de la Universidad Nacional del Litoral, Santa Fe, Argentina <i>“Reglamentación de la contaminación transfronteriza: tendencias y desafíos” (I)</i>
Bolivia		
Brasil		
Canadá		
Chile		
Colombia		
Costa Rica	2:30 – 4:15	Juan Carlos Murillo , Asesor jurídico regional del Alto Comisionado de las Naciones Unidas para los Refugiados (ACNUR), Costa Rica <i>“El sistema universal y regional para la protección internacional de los refugiados y otras víctimas del desplazamiento forzoso”</i>
Cuba		
Dominica		
Ecuador		
El Salvador		
Estados Unidos		
Grenada		
Guatemala	4:30 – 6:00	Nils Melzer <i>“The International Committee of the Red Cross’s Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law”</i>
Guyana		
Haití		
Honduras		
Jamaica		
México		
Nicaragua		
Panamá		
Paraguay		
Perú	Jueves 20	
República Dominicana		
San Kitts y Nevis	9:00 – 10:50	Paulo Borba Casella <i>“International Law. The Postmodern Approach, the Classics, and the New Challenges” (II)</i>
Santa Lucía		
San Vicente y las Granadinas		
Suriname		
Trinidad y Tobago	11:10 – 1:00	Paula María All <i>“Reglamentación de la contaminación transfronteriza: tendencias y desafíos” (II)</i>
Uruguay		
Venezuela		
	2:30 – 4:30	Juan Carlos Murillo <i>“Desarrollos actuales del sistema interamericano de derechos humanos en materia de refugiados y otras personas necesitadas de protección internacional”</i>



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Trinidad y Tobago
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Venezuela

Viernes 21

10:00

Clausura y entrega de certificados

Dante Negro, Director del Departamento de
Derecho Internacional de la OEA

Manoel Tolomei Moletta, Secretario del Comité
Jurídico Interamericano

Diego Moreno, Departamento de Derecho
Internacional de la OEA



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B. Program of the Workshop on International Law, 2010

Program

Workshop on International Law 2010

Organized by the Department of International Law of the Secretariat for Legal Affairs of the Organization of American States

San José, Costa Rica
Inter-American Institute for Human Rights

February 2 - 5, 2010

Tuesday, Feb. 2

9:00 – 10:00

Registration

10:00 – 10:30

Inauguration and orientation session

Jean-Michel Arrighi

Secretary for Legal Affairs of the Organization of American States

Dante Negro

Director of the Department of International Law of the OAS

Roberto Cuéllar

Executive Director, Inter-American Institute for Human Rights

Diego Moreno

Department of International Law, OAS



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Antigua and Barbuda	10:30 - 11:00
Argentina	
The Bahamas	
Barbados	
Belize	
Bolivia	
Brazil	
Canada	11:00 – 12:00
Chile	
Colombia	
Costa Rica	
Cuba	12:00 – 2:00
Dominica	
Dominican Republic	
Ecuador	
El Salvador	
Grenada	
Guatemala	2:00 – 2:30
Guyana	
Haiti	
Honduras	
Jamaica	
Mexico	2:30 – 3:30
Nicaragua	
Panama	
Paraguay	
Peru	
Saint Kitts and Nevis	3:30 – 4:00
Saint Lucia	
Saint Vincent and the Grenadines	
Suriname	
Trinidad and Tobago	4:00 – 4:30
United States of America	
Uruguay	
Venezuela	

4:30 – 5:30

First Session

Finding Jus Cogens: International Law and Natural Law Process

Prof. Mary Ellen O'Connell

Robert and Marion Short Professor of Law and Research
Professor of International Dispute Resolution, University of
Notre Dame Law School

Debate

Moderator: *Prof. Nicolás Boeglin*

Professor of Public International Law, Faculty of Law,
Universidad de Costa Rica

Lunch

Second Session

The Inter-American System: Democracy

Prof. Jean-Michel Arrighi

Secretary for Legal Affairs of the Organization of American
States

Debate

Moderator: *Prof. Luis Alberto Varela*

Professor of Public International Law
Escuela Libre de Derecho, Costa Rica

Break

Third Session

The Teaching of International Law

Prof. Jorge Antonio Quindimil López

Professor of Public International Law and International
Relations, Universidad de A Coruña

Debate

Moderator: *Profesor Tércio W. Albuquerque*

Professor of Public and Private International Law,
UNIDERP, Brazil



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Wednesday, Feb. 3

Antigua and Barbuda	
Argentina	9:00 – 9:30
The Bahamas	
Barbados	
Belize	
Bolivia	
Brazil	
Canada	
Chile	9:30 – 10:30
Colombia	
Costa Rica	
Cuba	
Dominica	
Dominican Republic	10:30 – 11:00
Ecuador	
El Salvador	
Grenada	11:00 – 11:30
Guatemala	
Guyana	
Haiti	
Honduras	11:30 – 12:30
Jamaica	
Mexico	
Nicaragua	
Panama	12:30 – 2:30
Paraguay	
Peru	2:30 – 4:00
Saint Kitts and Nevis	
Saint Lucia	
Saint Vincent and the Grenadines	
Suriname	
Trinidad and Tobago	
United States of America	
Uruguay	
Venezuela	

Thursday, Feb. 4

9:00 – 9:30

9:30 – 10:30

10:30 – 11:00

Fourth Session

The Reform of the Rules of Procedure of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights: Scope and Perspectives

Prof. Víctor Manuel Rodríguez Rescia

Inter-American Institute for Human Rights, Costa Rica

Debate

Moderator: *Prof. Roberto Cuéllar*

Executive Director, Inter-American Institute for Human Rights, Costa Rica

Break

Fifth Session

Aspects of Caribbean Community Law

Prof. Winston Anderson

University of the West Indies, Barbados

Debate

Moderator: *Prof. Roshene Betton*

University of the West Indies, Barbados

Lunch

Visit to the Inter-American Court of Human Rights

Sixth Session

Extradition and Legal Assistance

Prof. David P. Stewart

Visiting Professor of Law, Georgetown University Law Center. Member of the Inter-American Juridical Committee



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	11:00 – 11:45	Seventh Session Universal and Regional Standards of Protection for Afrodescendants <i>Dr. Dante Negro / Diego Moreno / Roberto Rojas</i> Department of International Law, Organization of American States
Antigua and Barbuda		
Argentina		
The Bahamas		
Barbados		
Belize		
Bolivia	11:45 – 12:30	Debate
Brazil		
Canada	12:30 – 2:30	Lunch
Chile		
Colombia		
Costa Rica		
Cuba	2:30 – 3:00	Eighth Session New Trends in the Jurisprudence of the International Court of Justice <i>Prof. Antonio Remiro Brotons</i> Professor of Public International Law and International Relations, Universidad Autónoma de Madrid. Member of the Institut de Droit International
Dominica		
Dominican Republic		
Ecuador		
El Salvador		
Grenada		
Guatemala	3:00 – 4:00	Debate Moderator: Dra. Rocío Barahona Riera Vice-chairperson, Committee on Economic, Social and Cultural Rights of the UN, Costa Rica
Guyana		
Haiti		
Honduras		
Jamaica		
Mexico		
Nicaragua	Friday, Feb. 5	
Panama		
Paraguay		
Peru		
Saint Kitts and Nevis	9:00 – 9:30	Ninth Session New Trends in International Refugee Law <i>Prof. Juan Carlos Murillo</i> Regional Legal Advisor, UNHCR, Costa Rica
Saint Lucia		
Saint Vincent and the Grenadines		
Suriname	9:30 – 10:30	Debate Moderator: Ms. Hazelle Jones (Lecturer in International Law) University of the West Indies, Jamaica
Trinidad and Tobago		
United States of America		
Uruguay		
Venezuela	10:30 – 11:00	Break
	11:00 – 11:30	Tenth Session The Teaching of International Law <i>Prof. José Luis Molina Quesada / Prof. Mario Fernández Silva</i> Universidad de Costa Rica



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11:30 – 12:30

Debate

Moderator: *Prof. Oscar Sandoval*
Universidad de Costa Rica

12:30 – 1:00

Closure and establishment of follow-up mechanisms

Jean-Michel Arrighi

Secretary for Legal Affairs of the Organization of American States

Dante Negro

Director of the Department of International Law of the OAS

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Saint Lucia
Saint Vincent and the Grenadines
Suriname
Trinidad and Tobago
United States of America
Uruguay
Venezuela

- C. AG/RES. 2503 (XXXIX-O/09), “Inter-American Program for the Development of International Law”

AG/RES. 2503 (XXXIX-O/09)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular as it pertains to the implementation of resolution AG/RES. 2405 (XXXVIII-O/08), “Inter-American Program for the Development of International Law” (AG/doc.4992/09 add. 1);

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

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

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

TAKING NOTE:

Of the Report on the Inter-American Program for the Development of International Law (Activities of the Department of International Law of the Secretariat for Legal Affairs in 2008) (CP/CAJP-2706/09);

Of the XXXV Course on International Law, held in Rio de Janeiro, Brazil, from August 4 to 29, 2008, and of the Workshops on International Law, held in Campo Grande, Mato Grosso do Sul, Brazil, from November 17 to 20, 2008; and

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

RESOLVES:

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

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

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

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

5. To request the Permanent Council to report to the General Assembly at its fortieth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

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

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

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT
OF INTERNATIONAL LAW

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

THE GENERAL ASSEMBLY,

HAVING SEEN:

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

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

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

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

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

CONSIDERING:

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

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

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

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

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

RESOLVES:

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

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT
OF INTERNATIONAL LAW

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

Treaties in the Inter-American Context

a. To encourage the development of an Inter-American System of Legal Information, which will be accessible via the Internet and provide ready access to the complete texts of inter-American treaties of which the OAS is the depository and data on the current status of signatures, ratifications and/or accessions, reservations, objections, declarations, and the date of their entry into force, and to background information and preparatory documentation thereon, as well as to similar information on cooperation agreements concluded by the OAS and on inter-American treaties of which the General Secretariat is not the depository.

b. To instruct the General Secretariat to coordinate, through the Secretariat for Legal Affairs, the work under way in other areas of the General Secretariat, in other bodies of the Organization, and in the various agencies and entities of the inter-American system, with a view to strengthening the Inter-American System of Legal Information, in consultation with the Committee on Juridical and Political Affairs of the Permanent Council.

Legal Development within the Organs of the OAS

c. To systematize the resolutions and declarations of the different organs of the OAS and the action plans and other studies and documents approved within the framework of the

Organization with a view to facilitating the study, discussion, negotiation, and development of new agreements within the framework of the inter-American system.

d. To request the General Secretariat to ensure close coordination among the various areas and offices and other bodies of the OAS so as to move forward with the activities described in the preceding paragraph.

Teaching of Inter-American International Law

e. To strengthen the Course on International Law conducted each year in Rio de Janeiro by the Inter-American Juridical Committee and the Secretariat for Legal Affairs by including sessions on the latest developments in international law and the major political agreements relating to the new hemispheric agenda.

f. To organize, in cooperation with institutions in the various member states, courses at the subregional and national levels on the various aspects of inter-American law, in particular, on the latest legal developments within the Organization, so as to provide the opportunity to diplomatic agents, teachers of international law, academics, judges, members of the armed forces, and other senior public and institutional officials to be aware of legal and political developments within the OAS and to discuss them.

g. To provide its staunchest support to the activities described in the preceding paragraph, in particular by encouraging the participation of senior OAS officials and international jurists and specialists and by offering scholarships and/or apprenticeships in legal practice and research to outstanding participants.

h. To hold meetings of professors of public and private international law from the member states to share ideas and proposals for action. At these meetings, consideration could be given to preparing a handbook or other teaching materials, organizing workshops or refresher courses, and developing future links with appropriate academic institutions with a view to achieving the systematic incorporation of inter-American law into the curricula of the various faculties of law.

i. To hold periodic Workshops on International Law with the participation of high-level jurists and specialists in international law and of legal advisers from the foreign ministries of member states in order to further the study and development of legal issues in the inter-American system.

j. To take into account the need to include topics and representatives from the various legal systems in the Hemisphere in all the activities mentioned above.

Publications

k. To encourage the publication of such texts as the amended Charter of the OAS and inter-American treaties adopted during the past decade.

l. To promote regular publication of the Inter-American Juridical Bulletin so as to cover the major activities of the OAS in the legal area, including, in particular, information on new

treaties adopted within the inter-American system, and the corresponding signatures, ratifications and/or accessions, reservations, and declarations, *inter alia*.

m. To resume the publication of the Inter-American Juridical Yearbook in order to reintroduce a forum for the dissemination of expert doctrine on various aspects and topics relating to current inter-American law and new developments in the framework of the new hemispheric agenda.

n. To prepare a systematic and updated work on the institutional framework and legal aspects of the inter-American system to mark the 50th anniversary of the OAS.

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

o. To promote agreements with various entities for the teaching and dissemination of inter-American law, including universities, institutes of international studies, and diplomatic academies, to encourage greater awareness of the legal heritage of the inter-American system and of the latest political developments within the framework of the Organization.

p. To promote cooperation with international organizations such as the United Nations, in particular the Sixth Committee of its General Assembly and the International Law Commission, as well as The Hague Academy of International Law, and The Hague Conference on Private International Law, as a means of further publicizing inter-American international law.

q. To promote the conclusion of cooperation agreements with various international financial agencies such as the Inter-American Development Bank and the World Bank, and with foundations and other public and private entities that are in a position to provide financial assistance for the dissemination, development, and teaching of international law.

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

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

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

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

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

THE GENERAL ASSEMBLY,

CONSIDERING:

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

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

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

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

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

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

That, more recently, there have been noteworthy legal contributions concerning hemispheric solidarity and inter-American cooperation for the protection of minors, the prevention of violence

against women, efforts against corruption, the war on terrorism, and the waging of a common battle against drugs;

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

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

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

That the Secretary General of the Organization of American States has presented an important document entitled "The Law in a New Inter-American Order," which assesses the inter-American system's contribution to the governance of international relations, analyzes legal issues in our region, and recommends steps to achieve greater efficiency in the legal area, and which the Permanent Council of the Organization and the Inter-American Juridical Committee have received with interest;

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

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

DECLARES:

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

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

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

4. Its recognition of the work undertaken by the various bodies of the Organization on the proposal and preparation of inter-American legal provisions, emphasizing the need for ongoing cooperation and coordination among the Permanent Council, the Inter-American Juridical Committee, and the General Secretariat.

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

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

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

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

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

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

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

12. Its intent that the Organization of American States, through courses, seminars, studies, and publications on international law and judicial cooperation, continue to perform an important task in providing training and information jurists, diplomats, scholars, and officials across the region.

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

14. Its approval of the reorganization of the Secretariat for Legal Affairs of the General Secretariat, which is being assigned responsibility for all General Secretariat activities related to the

progressive development and codification of international law, its dissemination, and legal and judicial cooperation among the states.

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

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

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