

ORGANIZATION OF AMERICAN STATES  
**GENERAL ASSEMBLY**



**THIRTY-FOURTH REGULAR SESSION**  
**QUITO, ECUADOR**  
June 6 – 8, 2004

# **PROCEEDINGS**

# **VOLUME I**

**AG/DEC. 36 - AG/DEC. 40 (XXXIV-O/04)**  
**AG/RES. 1975 - AG/RES. 2060 (XXXIV-O/04)**

**CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS**

ORGANIZATION OF AMERICAN STATES  
GENERAL ASSEMBLY



OEA/Ser.P/XXXIV-O.2  
30 November 2004  
Volume 1

THIRTY-FOURTH REGULAR SESSION  
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# PROCEEDINGS VOLUME I

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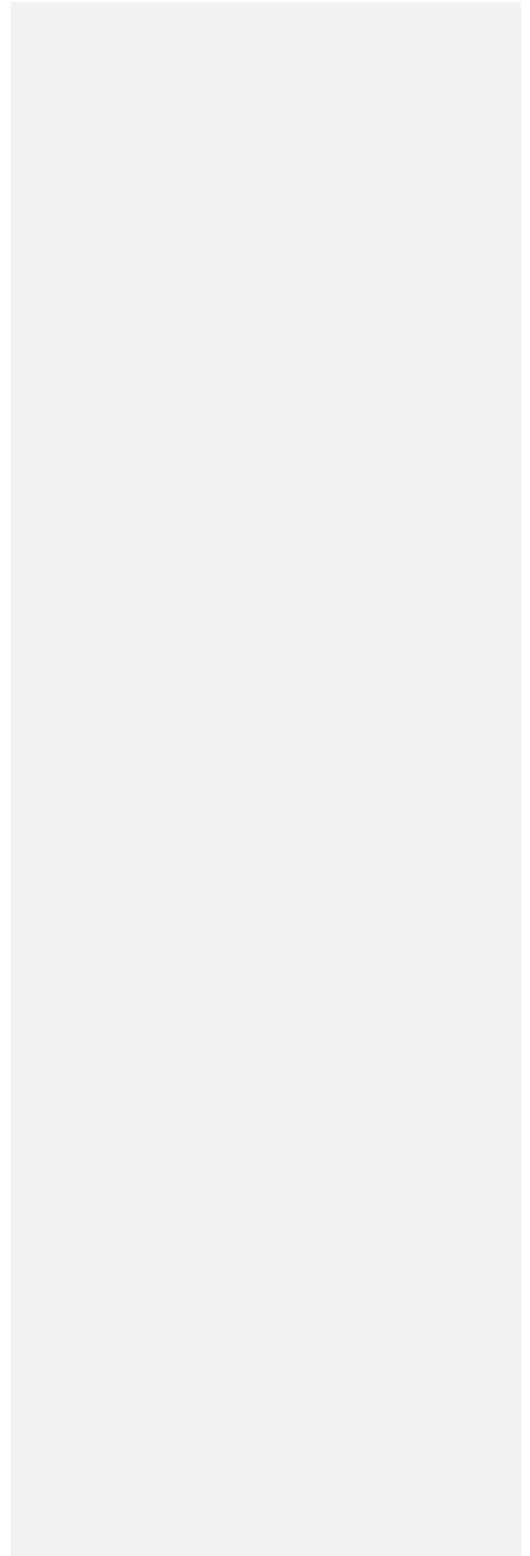
CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS

GENERAL SECRETARIAT  
ORGANIZATION OF AMERICAN STATES  
WASHINGTON, D.C. 20006  
2004

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I hereby certify that this volume contains the official texts of the declarations and resolutions adopted by the General Assembly of the Organization of American States at its thirty-fourth regular session, held in Quito, Ecuador, from June 6 to 8, 2004.

Luigi R. Einaudi  
Acting Secretary General  
Organization of American States



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AG/DEC. 36 (XXXIV-O/04)

DECLARATION OF QUITO ON SOCIAL DEVELOPMENT AND  
DEMOCRACY, AND THE IMPACT OF CORRUPTION

(Adopted at the fourth plenary session, held on June 8, 2004)

The Ministers of Foreign Affairs and Heads of Delegation of the member states of the Organization of American States, assembled in Quito, Ecuador, on the occasion of the thirty-fourth regular session of the General Assembly,

REITERATING that social development and democracy are essential purposes of the OAS and of its member states;

RECALLING that the Inter-American Democratic Charter declares that the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it and, at the same time, it establishes that transparency in government activities, probity, and responsible public administration on the part of governments are essential components of the exercise of democracy;

BEARING IN MIND that, since its inception, the Summits of the Americas process has been concerned with the fight against corruption and that this topic has warranted the attention of their Heads of State and Government;

TAKING INTO ACCOUNT the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas [AG/DEC. 31 (XXXIII-O/03)] and resolution AG/RES. 1960 (XXXIII-O/03), "Program for Democratic Governance in the Americas";

UNDERSCORING the Declaration on Security in the Americas, in which corruption is recognized, from a multidimensional perspective, as a new threat to the security of states that undermines public and private institutions and public trust, causes grave economic damage, impairs stability, erodes the rule of law, and weakens governmental capacity to respond to other threats to security;

RECALLING the mandate set forth in the Declaration of Nuevo León, adopted by the Special Summit of the Americas, which established a commitment to join efforts within the framework of the Inter-American Convention against Corruption, particularly by strengthening the Follow-up Mechanism for Implementation of that Convention;

REAFFIRMING their determination to continue to implement the Plans of Action of the Summits of the Americas as well as the commitments undertaken in the United Nations Millennium Declaration;

RECALLING that the United Nations Convention against Corruption (Mérida Convention) indicates that corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential;

RECALLING ALSO that the Mérida Convention expresses concern about cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of states, and that threaten the political stability and sustainable development of those states;

CONVINCED that multilateralism and cooperation among sovereign states play an important role in supporting national efforts to consolidate democracy, promote social development, and fight corruption;

RECOGNIZING:

That external debt relief may be a critical factor in freeing resources that can be directed to activities that promote social investment of states and strengthen democracy;

That the Inter-American Convention against Corruption is the most important inter-American legal instrument for fighting corruption, in that it establishes indispensable means of cooperation in the fight against this scourge and thus promotes international actions to prevent, detect, and punish it;

The efforts made by member states to honor the commitments undertaken in the Inter-American Convention against Corruption, and their participation in the Follow-up Mechanism to that Convention; and

The importance of the Conclusions and Recommendations concerning Specific Measures for Strengthening MESICIC, adopted by the First Conference of the States Parties to the Follow-up Mechanism for Implementation of the Inter-American Convention against Corruption, held at OAS headquarters on April 1 and 2, 2004; and

UNDERSCORING the recent adoption of the Mérida Convention as an effective and modern instrument for fighting corruption, particularly because it establishes the obligation of the States Parties to adopt preventive measures and to criminalize a wide range of acts of corruption; to extend to one another the broadest possible cooperation with respect to extradition and mutual legal assistance, pursuant to national legislation and applicable international norms, and to confiscation of the proceeds of crime; and to provide technical assistance and create a mechanism for returning proceeds of acts of corruption to their legitimate owners; and making an appeal for its prompt ratification to ensure its entry into force and the implementation of its mechanisms,

DECLARE:

1. That development, democracy, and the fight against corruption are closely interrelated topics and, as such, should be addressed in a balanced and integrated way by our countries.

2. That the world phenomenon of corruption constitutes a serious obstacle to the social development of their peoples and has warranted the attention of the Heads of State and Government in the Summits of the Americas process. In that regard, they reaffirm their commitment to fight corruption, which jeopardizes democracy and democratic governance, weakens institutions, undermines economic and social development and the fight against poverty, erodes public trust, and disrupts political stability.

3. That they commit, in the framework of applicable national and international law, to deny safe haven to corrupt officials, to those who corrupt them, and to the proceeds of corruption, and to cooperate in their extradition as well as in the recovery and return of those proceeds of corruption to their legitimate owners; and they commit to enhance regional mechanisms for mutual legal assistance in criminal matters.

4. Their concern regarding corrupt, illegal, and fraudulent practices in the management of some national and transnational enterprises, which may have a negative impact on economies, in particular those of developing countries, and on their producers and consumers.

5. That they reaffirm their pledge to intensify efforts to combat corruption and other unethical practices in the public and/or private sectors, strengthening a culture of transparency and ensuring more efficient public management.

6. Their willingness to promote the adoption, in accordance with fundamental principles of their domestic law, of such legislative and other measures as may be necessary to enable competent authorities of the requested state to return confiscated property to the requesting state, in the case of embezzlement of public funds or of laundering of embezzled public funds.

7. The importance of the international community making concerted efforts with the states of the Hemisphere to fight corruption and impunity, offering them the broadest cooperation in the framework of applicable treaties and laws so that those who have perpetrated acts of corruption from a position of political power against those states can be tried by their national courts and be answerable to them.

8. That political pluralism and sound political parties are essential elements of democracy. They underscore the importance of rules to ensure the transparency of party finances, to prevent corruption and the risk of undue influence, and to encourage a high level of electoral participation.

9. That the prevention and eradication of corruption is a responsibility of all states and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, nongovernmental organizations, and community-based organizations, if their efforts in this area are to be effective.

10. That the fight against corruption should involve principles of proper management of public affairs and public property, fairness, responsibility and equality before the law, fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights, and the need to safeguard integrity and to foster a culture of rejection of corruption.

11. That international cooperation against corruption should be respectful of the sovereignty and territorial integrity of states and the principle of nonintervention in domestic matters.

12. That the Inter-American Convention against Corruption is the framework for collective action and hemispheric cooperation in this field. They underscore their commitment to strengthen the Follow-up Mechanism for Implementation of the Inter-American Convention against

Corruption (MESICIC), and in that connection they endorse the conclusions and recommendations of concrete measures to strengthen the MESICIC, adopted by the First Conference of the States Parties thereto.

13. That they also underscore the importance of the adoption by the Conference of the States Parties to the Convention, to be held in Managua, Nicaragua on July 8 and 9, 2004, pursuant to the mandate of the Special Summit of the Americas, of additional concrete measures to increase transparency and combat corruption in the Hemisphere.

14. Their resolute support for implementation of the Inter-American Program for Cooperation in the Fight against Corruption and for the Inter-American Network for Cooperation against Corruption, established in the framework of the OAS.

15. That the media and the various actors in civil society must play a fundamental role in the prevention of and fight against corruption, in accordance with domestic law and applicable international norms. Responsible action on their part contributes to the culture of transparency, good governance, and democratic values.

16. That access to public information supports government transparency and contributes to preventing impunity by permitting the detection of acts of corruption. They pledge to promote additional measures to enhance government transparency.

17. That the strengthening of and respect for the rule of law, the defense of human rights and fundamental freedoms, economic progress, well-being and social justice, transparency and accountability in public affairs, the promotion of diverse forms of citizen participation, and the development of opportunities for all are fundamental to promoting and consolidating representative democracy.

18. Their commitment to move forward toward overcoming poverty, hunger, and social inequality and toward the development of the Inter-American Program to Combat Poverty and Discrimination, through the recently strengthened Inter-American Committee on Social Development.

19. The importance of intensifying actions, especially by means of international cooperation and the exchange of information, best practices, and shared visions on existing anticorruption commitments adopted by their governments, including, as appropriate, those set forth in the Inter-American Convention against Corruption, the Declaration of Nuevo León, and the Mérida Convention.

AG/DEC. 37 (XXXIV-O/04)

DECLARATION ON ELECTIONS IN EL SALVADOR

(Adopted at the first plenary session, held on June 7, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING that one of the essential elements of representative democracy is access to and the exercise of power in accordance with the rule of law and the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, in conformity with the provisions of the Inter-American Democratic Charter;

NOTING with satisfaction that the electoral process to elect the President and Vice President of the Republic, held in El Salvador on March 21, 2004, took place in an environment of broad citizen participation in fair, legitimate, and transparent elections; and

TAKING INTO ACCOUNT the report of the OAS Electoral Observation Mission in El Salvador, presented to the Permanent Council on March 31, 2004, which concluded that the presidential election was a process that permitted Salvadoran citizens to express their political will freely and forcefully, decisively promoting democracy in this country and granting the new President of El Salvador a solid mandate,

EXPRESSES its full satisfaction at the successful completion of the electoral process in El Salvador, whereby Mr. Elías Antonio Saca González was elected President of the Republic and Mrs. Ana Vilma Albanés de Escobar, Vice President.

EXTENDS its most sincere congratulations to the people of El Salvador for the clear demonstrations of democratic culture during the elections of March 21.

ENCOURAGES the Salvadoran people and political forces to observe the policy of tolerance, dialogue, and understanding offered by His Excellency the President of the Republic of El Salvador, Mr. Elías Antonio Saca González, to strengthen democratic governance and the social development of the Salvadoran people.

AG/DEC. 38 (XXXIV-O/04)

DECLARATION ON THE QUESTION OF THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING its repeated statements that the Question of the Malvinas Islands is a matter of enduring hemispheric concern;

RECALLING its resolution AG/RES. 928 (XVIII-O/88), adopted by consensus on November 19, 1988, in which it requested the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find, as soon as possible, a peaceful solution to the sovereignty dispute;

BEARING IN MIND that, in its resolution AG/RES. 1049 (XX-O/90), it expressed its satisfaction over the resumption of diplomatic relations between the two countries and that, in its declaration AG/DEC. 5 (XXIII-O/93), it emphasized the excellent state achieved in their bilateral relations;

RECOGNIZING that the accreditation of the United Kingdom of Great Britain and Northern Ireland, under resolution CP/RES. 655 (1041/95), as a permanent observer to the Organization of American States reflects principles and values shared by that country and OAS member states, which facilitate greater mutual understanding;

NOTING with satisfaction that the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland continue to reinforce political, trade, and cultural ties, and are also engaging in close cooperation, both bilaterally and in international forums; and

HAVING HEARD the presentation by the head of delegation of the Argentine Republic,

WELCOMES the reaffirmation of the will of the Argentine Government to continue exploring all possible avenues towards a peaceful settlement of the dispute and its constructive approach towards the inhabitants of the Malvinas Islands.

REAFFIRMS the need for the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to begin, as soon as possible, negotiations on the sovereignty dispute, in order to find a peaceful solution to this protracted controversy.

DECIDES to continue to examine the Question of the Malvinas Islands at its subsequent sessions until a definitive settlement has been reached thereon.

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AG/DEC. 39 (XXXIV-O/04)

DECLARATION ON THE IMPACT OF THE ENERGY SITUATION  
ON THE DEVELOPMENT OF MEMBER STATES

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING that the current international energy situation has a significant impact on the economies of the member states of the OAS; and

BEARING IN MIND that Article 11 of the Inter-American Democratic Charter states that “[d]emocracy and economic and social development are interdependent and mutually reinforcing.”

EXPRESSES its concern at the burden imposed on developing countries by the international energy situation and calls upon the appropriate bodies to examine this problem.



AG/DEC. 40 (XXXIV-O/04)

DECLARATION ON RESPECT FOR REPRESENTATIVE  
DEMOCRACY IN ECUADOR

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the basic components of the inter-American system include the strengthening of representative democracy, stability, and development of the region;

That good governance is a shared responsibility of the government in the exercise of its power, of political parties, and of civil society in general, and involves an obligation for authorities to be accountable and thereby optimize transparency; and

That the Inter-American Democratic Charter constitutes a code of conduct for the states of the Hemisphere, one that gives rise to a collective obligation for them to support one another mutually in order to maintain and respect the democratic system in the region,

DECLARES to support the initiative by the Government of Ecuador to continue the process of dialogue with all political, social, and economic sectors so that it may contribute to strengthening democratic institutions and foster economic and social development, as well as its support for the efforts of the Government and people of Ecuador aimed at consolidating the democratic institutional framework in the country.

AG/RES. 1975 (XXXIV-O/04)

RECOGNITION OF THE ACHIEVEMENTS OF MR. CÉSAR GAVIRIA,  
SECRETARY GENERAL OF THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT that the term of office for which the former President of Colombia, César Gaviria, was elected Secretary General of the Organization of American States concludes in September;

RECOGNIZING the outstanding work done by Mr. César Gaviria in his 10 years at the helm of the Organization, when the OAS came to play a leading role in the defense of democracy in the Hemisphere and in promoting general respect for the principles of sovereignty, nonintervention, solidarity, and peaceful settlement of disputes;

EMPHASIZING that, during his period in office, Mr. César Gaviria participated personally and assiduously in resolving political and humanitarian difficulties threatening the normal course of democratic activities in the different regions of the Americas;

INDICATING that one of the major concerns of the Secretary General was the establishment of conditions to enhance good relationships between the countries of the inter-American system and integration among the sister nations of the Americas; and

COMMENDING the accomplishments that, under the leadership of Mr. César Gaviria, established the Organization of American States as a center for discussion of the Hemisphere's most pressing concerns,

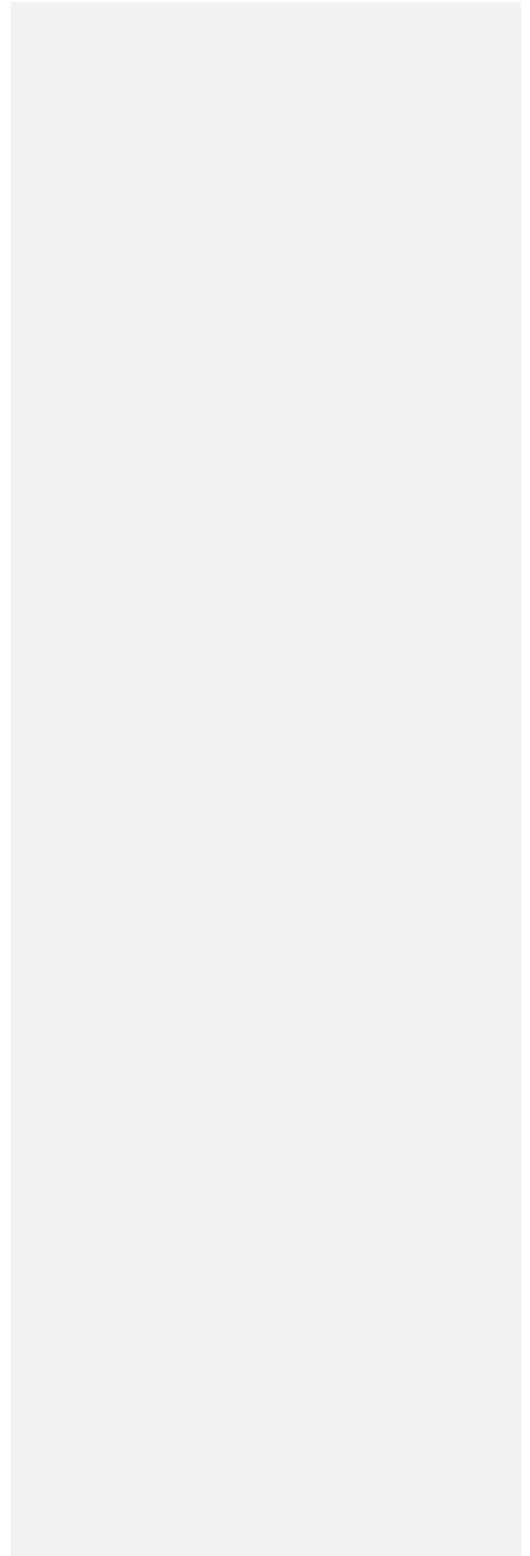
RESOLVES:

1. To underscore that Secretary General César Gaviria was constantly intent on modernizing the Organization's internal activities and ensuring its cohesiveness, impetus, and effectiveness, so that it was able to improve administrative and management performance.

2. To applaud the achievements of Mr. César Gaviria as Secretary General of the Organization of American States.

3. To thank Mr. César Gaviria for the conscientiousness, integrity, and intelligence with which he fulfilled the responsibilities entrusted to him by the Organization; and for his contributions to the stabilization of democratic processes in the region, the pacific settlement of disputes, and the forging of a new vision of the Organization of American States.

4. To highlight before the nations of the Hemisphere Mr. Gaviria's contribution to the integration of our states and to the full observance of democratic principles; and to extol as a model for present and future generations the dedication, efficiency, effectiveness, and transparency that were the hallmark of his administration.



AG/RES. 1976 (XXXIV-O/04)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING resolution AG/RES. 1364 (XXVI-O/96), "Free Trade and Investment in the Hemisphere," in which the Inter-American Juridical Committee was instructed to conduct a study on the matter;

RECOGNIZING the opinion of the Inter-American Juridical Committee (CJI/RES. II-14/96), in which the Committee unanimously concluded that "in the significant areas described above the bases and potential application of the legislation which is the subject of this Opinion are not in conformity with international law";

TAKING INTO ACCOUNT resolutions AG/RES. 1447 (XXVII-O/97), AG/RES. 1532 (XXVIII-O/98), AG/RES. 1614 (XXIX-O/99), AG/RES. 1700 (XXX-O/00), AG/RES. 1826 (XXXI-O/01), AG/RES. 1884 (XXXII-O/02), and AG/RES. 1914 (XXXIII-O/03); and

HAVING SEEN the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/doc.3876/04 rev. 1),

RESOLVES:

1. To take note of the report of the Permanent Council on free trade and investment in the Hemisphere, presented pursuant to resolution AG/RES. 1914 (XXXIII-O/03).
2. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on developments in this regard.

AG/RES. 1977 (XXXIV-O/04)

APPOINTMENT OF WOMEN TO SENIOR MANAGEMENT POSITIONS AT THE OAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the General Secretariat to the Permanent Council on the appointment of women to senior management positions at the OAS (CP/doc.3878/04);

BEARING IN MIND Article 120 of the Charter of the Organization of American States and Article 41 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States, which stipulate that first consideration shall be given to efficiency, competence, and integrity in the recruitment of General Secretariat personnel, but that importance shall also be attached to the criterion of the widest possible geographic distribution in hiring personnel at all grade levels; and Article 137 of the OAS Charter, which states that the Organization does not allow any restriction based on race, creed, or sex with respect to eligibility to hold positions in the Organization and to participate in its activities;

CONSIDERING that, in its resolutions AG/RES. 1627 (XXIX-O/99), AG/RES. 1790 (XXXI-O/01), AG/RES. 1872 (XXXII-O/02), and AG/RES. 1954 (XXXIII-O/03), "Appointment of Women to Senior Management Positions at the OAS," it urged the Secretary General to establish as an objective that, by the year 2005, women should occupy 50 percent of posts in all categories of the OAS system;

CONSIDERING ALSO that the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, which the General Assembly adopted by resolution AG/RES. 1732 (XXX-O/00), calls for the General Secretariat to "implement measures to ensure full and equal access by men and women to all categories of posts in the OAS system, particularly in decision-making positions";

REAFFIRMING the commitment expressed at the highest levels in the Plan of Action of the Third Summit of the Americas, held in Quebec City, to promote gender equity and equality and women's human rights by strengthening and fostering women's full and equal participation in decision-making at all levels, women's empowerment, and their equal opportunity to exercise leadership;

REAFFIRMING ALSO that the Declaration of Nuevo León recognized that "the empowerment of women, their full and equal participation in the development of our societies, and their equal opportunities to exercise leadership are fundamental for the reduction of poverty, the promotion of economic and social prosperity, and for people-centered sustainable development";

ACKNOWLEDGING that ensuring equal opportunity for women in leadership and decision-making positions is only one important element of a continuum of actions, policies, and activities required to achieve gender equality in the workplace and improve gender mainstreaming throughout the OAS;

BEARING IN MIND the report of the Committee on Administrative and Budgetary Affairs transmitting recommendations with regard to the Deloitte & Touche Management Study of the Operations of the General Secretariat - Final Report (CP/CAAP-2699/04 rev. 1) and resolution AG/RES. 2017 (XXXIV-O/04), "Modernization of the General Secretariat of the Organization of American States; and

HAVING SEEN the distribution of professionals by grade and gender appended to the report of the General Secretariat to the Permanent Council on the appointment of women to senior management positions at the OAS,

RESOLVES:

1. To urge the Secretary General to:
  - a. Achieve by 2005 the goal of having women occupy 50 percent of posts at each grade level within the OAS organs, agencies, and entities, particularly at the P-5 grade level and above, in order to achieve gender balance at all levels in the OAS, bearing in mind the criterion of geographic distribution in professional positions;
  - b. Continue to make gender equity and equality, which includes equal opportunities for men and women at all grade levels, one of the priorities in his efforts to establish a new institutional culture in the Organization;
  - c. Continue his work to establish policies of gender equality in the workplace and to make each manager accountable for the application of these policies;
  - d. Appoint women as representatives and special envoys to represent the Secretary General in matters relating to all areas and sectors; and
  - e. Take into account the objective of gender balance and the criterion of geographic representation when filling vacancies in the OAS, especially positions of higher authority.
2. To request the Secretary General to take this resolution into account when preparing his Restructuring Plan, taking into consideration also the Deloitte & Touche Management Study of the Operations of the General Secretariat - Final Report, the recommendations of the Committee on Administrative and Budgetary Affairs (CAAP) with regard to that report, and the results of the June 21 and 22 closed meeting called to reflect on the role the OAS should play in the Hemisphere and on how the General Secretariat should be organized to support that role.
3. To urge all member states to support the efforts of the Secretary General and of the Inter-American Commission of Women (CIM) by identifying and, through their permanent missions to the OAS, regularly submitting the candidacies of, the most highly-qualified women to occupy positions of trust within the OAS, and to encourage more women to apply for vacant positions, which will have been widely publicized in all member states.

4. To call on the organs, agencies, and entities of the OAS to:
  - a. Meet the goal of 2005 and to continue to accelerate their recruitment of qualified women for vacant positions;
  - b. Include the objective of improving gender balance in their human resource management action plans; and
  - c. Encourage specific activities to address gender issues in the workplace, according to individual circumstances of departments and offices, as one of the follow-up actions concerning the gender mainstreaming project undertaken by the General Secretariat.

5. To request the Secretary General to monitor closely the progress made by the organs, agencies, and entities of the Organization in meeting the goal of women's occupying 50 percent of posts at each grade level by the year 2005, to keep the Permanent Council informed with respect to the implementation of this resolution, providing an annual update with relevant statistics from the Department of Human Resource Services and detailed information on the strategies and actions taken to implement this resolution and reach that goal, and to report thereon to the General Assembly at its thirty-fifth regular session.

AG/RES. 1978 (XXXIV-O/04)

CONTINUING PARTICIPATION IN THE INTER-AMERICAN COUNCIL FOR  
INTEGRAL DEVELOPMENT BY MEMBER STATES THAT HAVE NOT  
RATIFIED THE PROTOCOL OF MANAGUA

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2 (XXII-E/96), "Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force," and resolutions AG/RES. 1442 (XXVI-O/96), AG/RES. 1507 (XXVII-O/97), AG/RES. 1575 (XXVIII-O/98), AG/RES. 1726 (XXX-O/00), AG/RES. 1815 (XXXI-O/01), AG/RES. 1863 (XXXII-O/02), AG/RES. 1910 (XXXIII-O/03), CIDI/RES. 24 (II-O/97), CIDI/RES. 42 (III-O/98), CIDI/RES. 83 (IV-O/99), CIDI/RES. 94 (V-O/00), CIDI/RES. 4 (I-E/01), CIDI/RES. 116 (VII-O/02), CIDI/RES. 138 (VIII-O/03), and CIDI/RES. 141 (IX-O/04), on continuation of the aforementioned participation;

EMPHASIZING the amendments made to the Charter of the Organization of American States to incorporate the elimination of extreme poverty as a basic objective of integral development (Protocol of Washington) and to establish an Inter-American Council for Integral Development to promote cooperation among the American states for the purpose of achieving their integral development and, in particular, helping to eliminate extreme poverty (Protocol of Managua); and

CONSIDERING that as of the date of this resolution there are still member states that have not ratified the Protocol of Managua,

RESOLVES:

1. To urge the member states that have signed and not ratified the Protocol of Washington, which incorporates the elimination of extreme poverty as a basic objective of development, and the Protocol of Managua, which establishes the Inter-American Council for Integral Development (CIDI), to consider doing so as soon as possible.

2. To extend the period during which its resolution AG/RES. 2 (XXII-E/96), "Participation of Member States That Have Not Ratified the Protocol of Managua in the Inter-American Council for Integral Development (CIDI) When Said Protocol Enters into Force," will remain in force until the next regular session of the General Assembly, which will review the situation if at that time there are still member states that have not ratified the Protocol of Managua.



AG/RES. 1979 (XXXIV-O/04)

FOLLOW-UP ON THE MONTERREY CONFERENCE ON  
FINANCING FOR DEVELOPMENT

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions CIDI/RES. 114 (VII-O/02) and AG/RES. 1865 (XXXII-O/02), "Follow-up on the International Conference on Financing for Development"; resolutions CIDI/RES. 128 (VIII-O/03) and AG/RES. 1911 (XXXIII-O/03), "Follow-up on the Monterrey Conference on Financing for Development," and resolutions CIDI/RES. 129 (VIII-O/03) and AG/RES. 1913 (XXXIII-O/03), "Strengthening of Partnership for Development"; and

The Monterrey Consensus, adopted by the United Nations International Conference on Financing for Development, held in Monterrey, Mexico, from March 18 to 22, 2002; and

CONSIDERING:

That the Summits of the Americas process has established political priorities at the hemispheric level which coincide with the agreements reached at the United Nations International Conference on Financing for Development and are intended to create greater prosperity, increase economic opportunities, and, at the same time, promote social justice and the development of human potential;

That in the Monterrey Consensus the Heads of State and Government noted, with concern, the low level of resources available to achieve the internationally agreed development goals;

That the Monterrey Consensus identifies as one of its objectives mobilizing and increasing the effective use of financial resources and achieving the national and international economic conditions needed to fulfill internationally agreed development goals, in particular those contained in the Millennium Declaration, to eliminate poverty, improve social conditions and raise living standards, and protect the environment;

That in the Monterrey Consensus the Heads of State and Government recognized that achieving the internationally agreed development goals, including those contained in the Millennium Declaration, demands a new partnership between developed and developing countries, and they committed themselves to sound policies, good governance at all levels, and the rule of law;

That the inter-American system and particularly the OAS have multilateral cooperation bodies and mechanisms on political, economic, and social issues that are responsible for the promotion of democracy, human rights, fighting corruption and drugs, and civil society participation, among other matters, and therefore position the OAS as a premier forum within the inter-American

system for working with the United Nations in fulfilling, in the Hemisphere, the commitments undertaken in the Monterrey Consensus;

That the Permanent Executive Committee of CIDI decided to establish the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development to promote efforts to fulfill the mandates issued in resolutions CIDI/RES. 114 (VII-O/02) and AG/RES. 1865 (XXXII-O/02);

That the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development adopted its Work Plan, contained in document CEPCIDI/GT/FIN/doc.3/03 Rev. 3;

That, the elements contained in said work plan coincide in large part with those being considered in the process of strengthening partnership for development that is being carried out by CEPCIDI;

That the resources for holding meetings in the framework of CEPCIDI are extremely limited, making it necessary to use those resources in the most effective and focused way possible; and

That CEPCIDI will consider the Work Plan of the Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development,

RESOLVES:

1. To take note that the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) will continue studying the strengthening of partnership for development, taking into account the results of the Monterrey Conference as well as the elements in the Work Plan of the aforementioned Group, contained in document CEPCIDI/GT/FIN/doc.3/03 Rev. 3.
2. In the context of the foregoing operative paragraph, to instruct CEPCIDI to continue evaluating the appropriate mechanisms by which the Organization of American States may help member states link up with the instruments and mechanisms for development financing identified by the Monterrey Conference.
3. To request CIDI to continue the process of consultations with inter-American institutions, other multilateral entities, permanent observers, and other donors, with the objective of identifying and implementing specific actions to support the member states in their efforts to benefit from the results of the Monterrey Conference and to strengthen partnership for development.
4. To congratulate the CEPCIDI Working Group to Identify a Strategy for Follow-up to the Monterrey Conference on Financing for Development for its work.

AG/RES. 1980 (XXXIV-O/04)

REPORT OF THE FIRST MEETING OF THE  
INTER-AMERICAN COMMITTEE ON CULTURE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Declaration and Plan of Action of Cartagena de Indias (REMIC-I/DEC. 1/02);

Resolutions CIDI/RES. 136 (VIII-O/03) and AG/RES. 1912 (XXXIII-O/03), "Inter-American Meeting of Ministers and High Authorities of Culture within the Framework of CIDI and Creation of the Inter-American Committee on Culture";

Resolution CEPCIDI/RES. 93 (XCIV-O/03), "First Meeting of the Inter-American Committee on Culture (CIC)"; and

Resolution CIDI/RES. 155 (IX-O/04), "Report of the First Meeting of the Inter-American Committee on Culture";

TAKING INTO ACCOUNT that, at their first meeting, the ministers and high authorities of culture of the Hemisphere decided to establish an inter-American committee within the framework of the Inter-American Council for Integral Development (CIDI), to allow for and facilitate an exchange of views on cultural policy and diversity issues, and further decided that the inter-American committee to be established should meet regularly under the auspices of the Organization of American States and with the support of the General Secretariat, in order to fulfill its functions as the entity for preparation of ministerial meetings and follow-up on their decisions; and

CONSIDERING:

That on September 4 and 5, 2003, the First Meeting of the Inter-American Committee on Culture was held in Mexico City, Mexico, with technical support from the Unit for Social Development and Education and the Executive Secretariat for Integral Development; and

The final report of the First Meeting of the Inter-American Committee on Culture and the resolutions it adopted (CIDI/CIC/doc.10/03),

RESOLVES:

1. To endorse the Work Plan approved at the First Meeting of the Inter-American Committee on Culture; and to entrust the authorities in the cultural sector and the General Secretariat with ensuring, through the Unit for Social Development and Education, that the Work Plan is implemented.

2. To congratulate the Government of Mexico on the work done to organize and hold the First Meeting of the Inter-American Committee on Culture.

3. To thank the Government of Mexico for its generous offer to host the Second Meeting of Ministers and High Authorities of Culture, scheduled to be held in August 2004.

4. To instruct the General Secretariat to continue, through the Unit for Social Development and Education and the Executive Secretariat for Integral Development, supporting the process for preparation and follow-up of meetings in the cultural sector.

5. To request the Inter-American Council for Integral Development to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 1981 (XXXIV-O/04)

STRENGTHENING MECHANISMS FOR POLICY DIALOGUE  
FOR INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That, in the Declaration of Nuevo León of the Special Summit of the Americas, the Heads of State and Government recognized the urgent need for the Organization of American States to strengthen mechanisms for combating poverty, such as the Inter-American Council for Integral Development (CIDI);

That, at the Third Summit of the Americas, held in Quebec City, the Heads of State and Government recognized the central role that the OAS plays in supporting the Summits Process. Further, they gave instructions for the strengthening and reform, where appropriate, of the Organization's institutional and financial mechanisms for supporting the Summits of the Americas process with regard to technical secretariat and support functions for ministerial and sectoral meetings on issues of import to the Organization;

That Article 31 of the OAS Charter establishes that inter-American cooperation for integral development is the common and joint responsibility of member states, within the framework of the democratic principles and the institutions of the inter-American system;

That the 1993 Protocol of Managua created CIDI in order to make OAS technical cooperation an effective and efficient tool to assist member states in their efforts to achieve integral development and eradicate poverty;

That sectoral meetings at the ministerial level and meetings of the inter-American committees within the framework of CIDI have generated great dynamism in the follow-up of the Summit of the Americas; and

That partnership for development efforts, in which countries at different stages of development and with different levels of experience participate, take place at two strategic levels: the political level, intended to strengthen dialogue, agreements, and institutional mechanisms in order to identify priority areas to ensure targeted implementation, and the level of technical cooperation, aimed at implementing political decisions and priorities through cooperation activities, programs, and projects, within the framework of the Strategic Plan for Partnership for Development 2002-2005; and

BEARING IN MIND:

The urgent need to strengthen partnership for development and to invest cooperation mechanisms within the inter-American system with greater coherence, relying on cooperation from

international agencies for support to member states in the design of policies and in the preparation and implementation of the priority cooperation programs, projects, and activities of the member states;

The importance of the Summits of the Americas, ministerial meetings, and the inter-American committees in defining priorities to ensure targeted implementation of partnership for development, and the role that the Inter-American Agency for Cooperation and Development (IACD) should play in increasing the effectiveness of said implementation and in confronting the challenges of economic growth, alleviation of extreme poverty, and democratic governance; and

That CIDI is the main inter-American forum for dialogue on integral development issues, and that it should generate mechanisms for strengthening partnership for development and act as a catalyst for mobilizing human, technical, and financial resources, and as a coordinator, within the OAS, for implementation of the mandates emanating from the Summits of the Americas process, in accordance with the Strategic Plan for Partnership for Development,

RESOLVES:

1. To reiterate its commitment to continue strengthening those mechanisms for policy dialogue and partnership for development that assist member states in their efforts to achieve integral development and combat poverty.

2. To recognize that the cooperation programs, projects, activities, and initiatives generated by member states, in the framework of the Strategic Plan for Partnership for Development, must respond to the mandates of the Summits of the Americas and to the policies and guidelines established at ministerial meetings and/or meetings of the inter-American committees in order to ensure targeted implementation of partnership for development and the reinforcement of cooperation strategies arising therefrom.

3. To request the sectoral authorities to review, at ministerial meetings and/or meetings of the inter-American committees, the Strategic Plan for Partnership for Development, with a view to recommending adjustments in the priorities of their respective areas.

4. To request authorities involved in sectoral processes to ensure coordination with other member states in the preparation of ministerial meetings and meetings of the inter-American committees, with support from the General Secretariat, and, in particular, the units and offices that serve as technical secretariats for those processes, so as to allow for a substantive dialogue with a view to formulating policies, defining priorities, and developing activities.

5. To suggest that the sectoral authorities, in preparing for, conducting, and following up on ministerial meetings or meetings of the inter-American committees, give consideration to active participation by the relevant international organs, agencies, and entities, particularly those of the inter-American system, to enable member states to benefit from their skills, knowledge, and experiences in defining policies and in designing and implementing partnership for development programs, projects, and activities.

6. To consult the sectoral authorities in order to have them define how they wish to set their priorities at the ministerial meetings and/or meetings of the inter-American committees.

7. To request the units and offices of the General Secretariat responsible for serving as technical secretariats for sectoral processes within the Inter-American Council for Integral Development (CIDI), to give preference to these processes in their activities and to ensure that this is reflected in any work plans and reports they present.

8. To agree that the regular meetings of CIDI, within the framework of the Strategic Plan, must play a more active role in intersectoral coordination with the aim of securing a more complete overview of the activities carried out by each sector to follow up on the Summits of the Americas and of enhancing coordination and the sharing of experiences.

9. To entrust the Secretariat for the Summit Process with coordinating and supporting linkages between ministerial meetings and/or meetings of the inter-American committees and the Summits of the Americas process, as well as with the distribution of information to the follow-up mechanisms of that process.

10. To instruct the Permanent Executive Committee of CIDI (CEPCIDI) to explore how the role that the national development and/or cooperation agencies might have in CIDI could be strengthened.

11. To entrust CEPCIDI, within the framework of the provisions of this resolution as well as the conclusions arising from the Management Study and the recommendations handed down by the Management Board of the Inter-American Agency for Cooperation and Development (IACD), with conducting a comprehensive examination of the Agency's operations and funding and to present its conclusions and recommendations to CIDI.

12. To instruct CIDI to continue considering mechanisms and methods for furthering the process of strengthening policy dialogue and partnership for development, particularly as regards following up on the Summits Process and the structure, representation, nature, and purpose of CIDI's regular and special meetings and their relationship with CEPCIDI, and to submit its conclusions and recommendations to the General Assembly at its thirty-fifth regular session.

AG/RES. 1982 (XXXIV-O/04)

STRENGTHENING TECHNICAL COOPERATION FOR INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That, according to Article 94 of the Charter of the Organization of American States and Article 1 of the Statutes of the Inter-American Council for Integral Development (CIDI), CIDI is an organ of the OAS whose purpose is to promote cooperation among the American states for the purpose of achieving integral development and, in particular, helping to eliminate extreme poverty;

That the Strategic Plan for Partnership for Development 2002-2005 provides that technical cooperation is important and embraces all member states, regardless of their level of development;

That the Special Multilateral Fund of CIDI (FEMCIDI) is funded with voluntary contributions from member states and that its purpose is to contribute to the financing of national and multilateral cooperation programs, projects, and activities carried out under the Strategic Plan;

That, notwithstanding the important efforts made by member states to obtain the resources contributed each year to FEMCIDI, these resources are insufficient to fund all the projects presented. This reinforces the need for the Inter-American Agency for Cooperation and Development (IACD) to make special efforts to obtain, from different sources, additional non-reimbursable financial and non-financial resources;

That the Strategic Plan indicates that, in the spirit of the partnership for development, national institutions taking part in cooperation activities will have to take into account the priority areas and the guidelines contained in the Strategic Plan, to ensure that the projects and activities related to the Plan are tied to mandates of the Summits, ministerial meetings, or meetings of the inter-American committees and give priority to those of a multilateral character;

That CIDI, in its resolution CIDI/RES. 143 (IX-O/04), decided that cooperation programs, projects, activities, and initiatives generated by member states, within the framework of the Strategic Plan, must respond to the mandates of the General Assembly, the Summits of the Americas, the ministerial meetings, and the inter-American committees so that cooperation strategies deriving therefrom may be strengthened;

That the Strategic Plan indicates that cooperation activities in the priority areas must, to the extent possible, include in their formulation, implementation, and evaluation, the following: (a) civil society participation; (b) environmental considerations; (c) development of human resources; and (d) gender equality and equity;



That the technical secretariats of ministerial meetings and meetings of the inter-American committees provide support to member states in the preparation of FEMCIDI projects and carry out activities to coordinate and execute said projects, as requested;

That the IACD is implementing a mechanism for evaluating cooperation activities funded with FEMCIDI funds; and

That partnership for development activities are selected and evaluated on the basis of the document "Criteria for the Selection and Evaluation of Partnership for Development Activities" (CEPCIDI/doc.134/97),

RESOLVES:

1. To reiterate that technical cooperation for integral development programs, projects, activities, and initiatives generated by the member states must respond to the mandates of the General Assembly, in particular mandates of the Strategic Plan for Partnership for Development 2002-2005, the Summits of the Americas, ministerial meetings, or meetings of the inter-American committees, and that priority shall be given to those of a multilateral character while retaining recognition of the importance of national projects to member states.

2. To recommend to the ministerial meetings and meetings of the inter-American committees that they consider the formulation of projects that implement the mandates and political decisions referred to in the preceding operative paragraph for their timely presentation to FEMCIDI by a member state, and to instruct the General Secretariat to provide coordinated support to member states in all its areas in the formulation, execution, and coordination of projects, as requested, and in the mobilization of other resources.

3. To note with satisfaction the project evaluation mechanism initiated by the Inter-American Agency for Cooperation and Development (IACD) and to instruct that the findings be used by the partnership for development actors to enhance the efficiency, effectiveness, impact, and sustainability of the positive results of partnership for development activities and to support the mobilization of other resources.

4. To call upon the member states to increase, to the extent possible, their contributions to finance partnership for development activities and to request the IACD to make special efforts to obtain, from different sources, additional non-reimbursable financial and non-financial resources. In that connection, special attention must be paid to the topics of interest to the permanent observers.

5. To instruct the IACD to implement greater collaboration and synergy among partnership for development programs and activities carried out by the different areas of the General Secretariat, particularly FEMCIDI, the fellowship and training programs, the Education Portal of the Americas, and potential external partners, and to report to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) in that regard.

6. To recommend to member states that the cooperation activities they present in the priority areas of the Strategic Plan, include, as elements in their formulation, implementation, and evaluation, to the extent possible, the following: (a) civil society participation; (b) environmental

considerations; (c) development of human resources; and (d) gender equality and equity, and to instruct the IACD, when preparing the preliminary FEMCIDI Programming Proposal and when evaluating technical cooperation activities, to verify if the projects have included those elements, when appropriate.

7. To instruct CEPCIDI to proceed, on the basis of the decisions taken in this resolution and in resolution CIDI/RES. 143 (IX-O/04), to update the document "Criteria for the Selection and Evaluation of Partnership for Development Activities" (CEPCIDI/doc.134/97).

8. To instruct CIDI to continue strengthening the partnership for development mechanisms and to report to the General Assembly at its thirty-fifth regular session.

AG/RES. 1983 (XXXIV-O/04)

POVERTY, EQUITY, AND SOCIAL INCLUSION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 113 (VII-O/02), CIDI/RES. 145 (IX-O/04), AG/RES. 1854 (XXXII-O/02), and AG/RES. 1962 (XXXIII-O/03), "Poverty, Equity, and Social Inclusion"; and CIDI/RES. 130 (VIII-O/03) and CEPCIDI/RES. 90 (LXXXIX-O/03), "High-Level Meeting on Poverty, Equity, and Social Inclusion";

TAKING INTO ACCOUNT:

That the High-Level Meeting on Poverty, Equity, and Social Inclusion took place on Isla de Margarita, Venezuela, from October 8 to 10, 2003; and

That the aforementioned meeting adopted the Declaration of Margarita (RANPEIS/DEC. 1/03); and

CONSIDERING:

That Article 2.g of the Charter of the Organization of American States establishes that one of the essential purposes of the Organization is to eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

That the Declaration of Quebec City, adopted at the Third Summit of the Americas, states that "[w]e shall spare no effort to free our fellow citizens from the dehumanizing conditions of extreme poverty";

That the Declaration of Nuevo León, adopted at the Special Summit of the Americas, recognizes that overcoming poverty, hunger, and social inequality are major challenges facing many countries of the Hemisphere in the 21<sup>st</sup> century;

That in the same declaration the Heads of State and Government urge the OAS to carefully consider the recommendations approved at the High-Level Meeting on Poverty, Equity, and Social Inclusion, held on Isla de Margarita, Venezuela, to strengthen the hemispheric social agenda;

That the Inter-American Democratic Charter reaffirms that "the fight against poverty, and especially the elimination of extreme poverty, is essential to the promotion and consolidation of democracy and constitutes a common and shared responsibility of the American states";

The proposal for follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion (CEPCIDI/doc.594/03), and the method for its implementation (CEPCIDI/doc.611/04 Corr. 1);

That, to a large extent, the follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion will take place in the context of the Inter-American Committee on Social Development; but that the Declaration of Margarita specifically proposes that the Permanent Council and the Inter-American Council for Integral Development (CIDI) consider the need to deepen the commitments undertaken in the Charter of the Organization of American States, the Inter-American Democratic Charter, and other international instruments on social matters in relation to the advancement and observance of economic, social, and cultural rights, and explore the possibility of having an instrument and mechanisms that respond to this aim;

That resolution AG/RES. 1854 (XXXII-O/02) instructed the Permanent Council and CIDI, in light of the results of the meeting on Isla de Margarita, to define jointly new actions to strengthen existing mechanisms for cooperation to support the OAS member states in combating poverty; and

That CIDI has taken note of the final report of the High-Level Meeting on Poverty, Equity, and Social Inclusion (RANPEIS/doc.6/03),

RESOLVES:

1. To instruct the Permanent Council and the Inter-American Council for Integral Development (CIDI) to consider carefully the recommendations issued at the High-Level Meeting on Poverty, Equity, and Social Inclusion.
2. To congratulate and thank the Government of Venezuela for its efforts in organizing and holding the High-Level Meeting on Poverty, Equity, and Social Inclusion.
3. To endorse the Declaration of Margarita, adopted at the High-Level Meeting on Poverty, Equity, and Social Inclusion and attached hereto.
4. To take note of the proposal for follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion (CEPCIDI/doc.594/03), and the method for its implementation (CEPCIDI/doc.611/04 Corr. 1).
5. To receive the proposal made by the High-Level Meeting on Poverty, Equity, and Social Inclusion to consider the need to deepen the commitments undertaken in the Charter of the Organization of American States, the Inter-American Democratic Charter, and other international instruments on social matters in relation to the advancement and observance of economic, social, and cultural rights, and explore the possibility of having an instrument and mechanisms that respond to this aim; and to instruct the Permanent Council and CIDI to proceed accordingly.
6. To request the Permanent Council and CIDI to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



## DECLARATION OF MARGARITA

### Recommendations of the High level Meeting on Poverty, Equity and Social Inclusion

We, the high level authorities of the Member States of the Organization of American States, those responsible for social development policies and programs, meeting on Isla Margarita, Venezuela, on the 8th, 9th, 10th of October 2003,

#### CONSIDERING:

That the Charter of the Organization of American States establishes as one of its central purposes the eradication of critical poverty, which represents an obstacle to the full democratic development of the peoples of the hemisphere the commitment ratified by the Resolutions AG/RES. 1854 (XXXII-O/02) AG/RES. 1962 (XXXIII-O/03), priority that it is inspired in the principles of inter-American solidarity and cooperation in the search for equity and social justice and the integral development of its peoples.

That the Inter-American Democratic Charter reaffirms “that the fight against poverty, and especially the elimination of extreme poverty, is essential to the promotion and consolidation of democracy and constitutes a common and shared responsibility of the American states;”

That the Declaration of Santiago on Democracy and Public Trust: A New commitment to good governance for the Americas states that Strengthening democratic governance calls for the elimination of poverty and social exclusion and the promotion of equitable economic growth by means of sound public policies and practices that promote equal opportunity, education health and full employment;

The Millennium Declaration, in which Heads of State and Government of the world declared that they would “spare no efforts to liberate men, women, and children from the abject, dehumanizing conditions of extreme poverty”, the Monterrey Consensus on financing for development, as well as the commitments on sustainable development and other international agreements on social development issues agreed upon at the hemispheric level, the United Nations and other multilateral forums.

The importance and interest in advancing the regional and sub-regional integration processes in the Hemisphere.

That the Special Summit of the Americas to be held in Mexico will address the issues of economic growth with equity, social development and democratic governance.

#### WE DECLARE:

1. Our determination and our commitment to urgently combat the serious problems of poverty, social exclusion and inequity that affect, in varying degrees, the countries of the hemisphere; and to face the causes that generate them and its consequences, and create favorable conditions for socio-economic development with equity to promote more just societies.

2. Our commitment to strengthen the policies and programs intended to facilitate processes of social inclusion that allow the creation of integrated societies; as well as our special obligation towards people, families - as the nucleus of society -, communities, groups that live in poverty and those that are in a situation of vulnerability, disadvantage and marginalization.

3. Our commitment to promote greater cooperation and coordination between or among national sectors which have a role in determining economic and social policies, which must be mutually complementary.

4. Our interest in advancing the development of an open and transparent international trade system through bilateral, regional and global negotiations, that promotes economic and social development that, contributes to the fight against poverty, improved living standards and enhanced trade opportunities for all. Accordingly, we call for a constructive dialogue within the appropriate fora on topics such as access to markets, subsidies and protectionism.<sup>1/</sup>

5. That among other factors mentioned in the Monterrey Consensus, official development assistance and external debt relief as appropriate may help to improve the capacities of some countries to promote social and economic development, and that this should be accompanied by sound domestic macro-economic policies. Therefore, it is necessary to keep working towards new financial and economic domestic and international policies, taking into account the social dimension and the principle of shared responsibility.

6. Our commitment to strengthen our efforts at the national level, to work in conjunction with municipal and regional administrations, private sector and other actors of civil society, to achieve a more equitable distribution of income and increase economic opportunities of our people. Accordingly, we acknowledge the potential of local and regional economies as engines for growth.

7. Our readiness to promote and strengthen cooperation initiatives in areas relating to poverty, social exclusion, and inequity, in support of national efforts based on the principle of partnership for development. In this connection, we reiterate the importance of promoting the sharing of expertise and best practices that help to eliminate poverty and narrow social gaps in our countries, and improving the coordination of multilateral action, especially among organizations of the inter-American system, as well as with international and regional development agencies.

8. That official development assistance plays an essential role as a complement to other sources of financing for development, especially in those low and middle income countries with the least capacity to attract private direct investment.

9. That good governance, transparency and accountability are some of the essential elements to make an efficient use of official development assistance and other available resources.

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1. For some of the Member States the subregional trade negotiations should be considered included in this paragraph.

10. The importance of providing the necessary resources to existing mechanisms within the inter-American system to enable effective action in the fight against poverty and the need to assess any new initiatives, which may be complementary to our efforts.<sup>2/</sup>

11. That, in fighting poverty, inequity, and social exclusion, we will place priority on eradicating hunger, accessing adequate food and potable water, and ensuring access for all to basic social services, with special attention to quality education and the health care safety net.

12. We declare that access and the practical application of the different advances in science and technology and innovation are keys to the reduction of poverty and the improvement in standard of living.

13. Our commitment to the promotion of dignified, productive and decent labour, and the improvement of labour conditions, the creation of job opportunities, and the elevation of the qualifications of workers.

14. The importance of the Inter-American Committee on Social Development for the formulation of policies related to social matters and the strengthening of existing instruments and cooperation initiatives to fight poverty, social exclusion and inequity, as well as the strengthening of the Inter-American Program to Combat Poverty and Discrimination. We encourage the Committee to celebrate a meeting on 2004; and we entrust the Unit of Social Development and Education to support the activities of the Committee.

15. Our interest in having the Inter-American Council for Integral Development evaluate the advisability of periodic meetings of the ministers and high government authorities responsible for social development policies and plans with the objective of outlining concrete joint actions, assess funding needs, and share expertise.

16. The need to deepen the commitments undertaken in the OAS Charter, the Inter-American Democratic Charter and other international commitments on social matters in relation to the advancement and observance of economic, social, and cultural rights. Accordingly, we propose that the Permanent Council and the Inter-American Council for Integral Development take up this matter, and explore the possibility of having an instrument and mechanisms that respond to this end.

17. We express our commitment to seeing that CIDI, as the hemispheric political forum for dialogue in combating poverty, contribute to following up on, evaluating, and supervising the Eight Development Objectives established in the Millennium Declaration for the year 2015.

18. We urge this declaration to be examined by the Inter-American Committee on Integral Development and the Permanent Council for the actions that these bodies may determine.

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2. The Venezuelan Delegation presented a proposal for the creation of a Humanitarian International Fund, to finance social development programs.



AG/RES. 1984 (XXXIV-O/04)

INTER-AMERICAN COMMITTEE ON SOCIAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 55 (IV-O/99) and AG/RES. 1678 (XXIX-O/99), “Mechanisms for Implementing the Inter-American Dialogue on Partnership for Development”; and CIDI/RES. 131 (VIII-O/03) and CIDI/RES. 160 (IX-O/04), “Inter-American Committee on Social Development”;

CONSIDERING:

That the Inter-American Council for Integral Development (CIDI) established, through its Permanent Executive Committee (CEPCIDI), the Social Development Committee, pursuant to resolution AG/RES. 1424 (XXVI-O/96);

That, by resolution AG/RES. 1678 (XXIX-O/99), the name of the Social Development Committee was changed to the Inter-American Committee on Social Development;

That in the Declaration of Margarita of the High-Level Meeting on Poverty, Equity, and Social Inclusion, the high authorities responsible for social development policies and programs encouraged the Committee to hold a meeting in 2004, and instructed the Unit on Social Development and Education to support the work of the Inter-American Committee;

That, in the Declaration of Nuevo León of the Special Summit of the Americas, the Heads of State and Government recognized the urgency of strengthening OAS mechanisms for fighting poverty, such as CIDI, the Inter-American Committee on Social Development, and the Inter-American Program to Combat Poverty and Discrimination; and

That the purpose of CIDI’s Inter-American Committee on Social Development is to strengthen inter-American dialogue to support policy development and cooperative action on social development matters, in particular to fight poverty and discrimination in the Hemisphere; and

BEARING IN MIND:

That the Inter-American Committee on Social Development held its first meeting in Santiago, Chile, on April 5 and 6, 2004;

That during said meeting the Committee considered its Draft Rules of Procedure, contained in document CIDI/CIDES/doc.3/04 Rev. 2, and recommended that CIDI approve them; and

That, in the course of said meeting, the Government of El Salvador offered to host the First Meeting of Ministers and High Authorities on Social Development, which was endorsed by the plenary,

RESOLVES:

1. To congratulate and thank the Government of Chile for its efforts in organizing and holding the First Meeting of the Inter-American Committee on Social Development (CIDES).
2. To note that the Inter-American Council for Integral Development (CIDI) approved the Rules of Procedure of the Inter-American Committee on Social Development.
3. To thank the Government of El Salvador for its offer to host the First Meeting of Ministers and High Authorities on Social Development, to be held in 2005.
4. To suggest that the agenda for the First Meeting of Ministers and High Authorities on Social Development include consideration of a draft inter-American program to combat poverty and discrimination.
5. To instruct the CIDES to include in its work plan the preparatory activities for the First Meeting of Ministers and High Authorities on Social Development, for which it may request the support of the General Secretariat, through the Unit for Social Development and Education and in coordination with the Executive Secretariat for Integral Development.
6. To request CIDI to report to the General Assembly on the implementation of this resolution.

AG/RES. 1985 (XXXIV-O/04)

REPORT OF THE THIRD MEETING OF  
MINISTERS OF EDUCATION WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 124 (VII-O/02), "Specialized or Sectoral Meetings of CIDI"; CEP/CIDI/RES. 84 (LXXXVII-O/03), "Third Meeting of Ministers of Education within the Framework of CIDI"; and CIDI/RES. 153 (IX-O/04), "Report of the Third Meeting of Ministers of Education within the Framework of CIDI";

RECALLING that the General Assembly instructed the General Secretariat to provide technical and secretariat support to the ministers of education for follow-up and implementation of the mandates of the Second and the Third Summit of the Americas;

TAKING INTO ACCOUNT:

That at the Second Meeting of Ministers of Education, the ministers agreed to hold the Third Meeting of Ministers of Education within the Framework of CIDI;

That the Government of Mexico offered to host the Third Meeting of Ministers of Education within the Framework of CIDI; and

That the Second Meeting of the Inter-American Committee on Education will be held at OAS headquarters on September 27 and 28, 2004, to follow up on the decisions adopted by the sectoral authorities and to prepare for the Fourth Meeting of Ministers of Education, which is scheduled to be held in 2005; and

CONSIDERING:

That the Third Meeting of Ministers of Education within the Framework of CIDI was held from August 11 to 13, 2003, in Mexico City, Mexico, with the technical support of the Unit for Social Development and Education and the Executive Secretariat for Integral Development; and

The final report of the Third Meeting of Ministers of Education and the decisions it adopted (CIDI/RME/doc.13/03),

RESOLVES:

1. To congratulate and thank the Government of Mexico for its work in organizing and holding the Third Meeting of Ministers of Education within the Framework of CIDI.

2. To endorse the "Declaration of Mexico," which was adopted by the ministers of education of the Hemisphere at their third meeting within the framework of CIDI and is attached hereto.

3. To instruct the General Secretariat to continue, through the Unit for Social Development and Education and in coordination with the Executive Secretariat for Integral Development, supporting the process of preparation and follow-up of meetings in the educational sector.

4. To request CIDI to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



## DECLARATION OF MEXICO

We, the Ministers of Education of the member nations of the Organization of American States, gathered together in Mexico City on August 11 to 13, 2003, for the Third Meeting of Ministers of Education, after considering different proposals and varied arguments, resolve the following declaration:

1. We are committed to attaining the education goals of the Summits of the Americas, namely: "promoting the principles of equity, quality, relevance, and efficiency at all levels of the education system; ensuring, by 2010, universal access to and completion of quality primary education for all children and to quality secondary education for at least 75 percent of young people, with increasing graduation rates and lifelong learning opportunities for the general population; and eliminating gender disparities in primary and secondary education by 2005."

2. We call on the different sectors engaged in educational activities so we can jointly promote a movement in the hemisphere that will ensure that education is the central priority of development for all sectors over the coming decades, thus creating an authentic alliance of the Americas in favor of education.

3. We have assumed the commitment of educating the present and future generations to ensure they are able to participate in a globalized environment and to construct a hemisphere in which no child is left behind.

4. We are aware of the challenges educators face due to increasing poverty among our populations and the everyday violence of our cities, together with the destabilizing international events that have occurred during the slightly more than two years since the Third Summit of the Americas.

5. We recognize the need to make education one of the tools of development to achieve greater social equality and to overcome poverty. We affirm the need to make sure that the economic development policies adopted by the countries of the hemisphere support their public education policies.

6. We hold that our societies will fully achieve their cultural, economic, and political development by placing top priority on expenditure and investment in quality education of all kinds, levels, and modalities, in scientific research, in technological development, and in disseminating and preserving the cultural diversity that is a source of wealth and inspiration for our societies and their education programs.

7. We assume our responsibility of consolidating an education system that is committed to democracy as a way of life, to social justice free of exceptions, and to respect for basic freedoms and individual dignity, avoiding all discrimination and intolerance. We therefore appreciate the statements made at our meeting by the organizations of civil society and indigenous communities. Collaboration among all sectors of our societies is crucial in attaining our goals.

8. We recognize the importance of instilling democratic awareness, culture, and values in the present and future generations, and of the principles of the Inter-American Democratic Charter, particularly those dealing with education as a key means for strengthening democratic institutions, promoting the development of human potential, alleviating poverty, and fostering greater understanding among peoples, and we urge that efforts be made to incorporate those principles into our educational programs in accordance with the laws of each country.

9. We are aware of the priority of the goals set by the Heads of State and Government if we are to prevent future generations from expending resources on correcting the educational shortcomings of today's society.

10. We believe we can accomplish the education goals set by the Summits of the Americas by increasing our countries' investment in education and by making efficient use of those resources. We recommend that our governments explore financing strategies for advancing education in our hemisphere that include: increased public funding for this sector and private-public partnerships. In addition, several among us consider it worthwhile to explore the possibility of debt-for-education swaps. We recognize that such initiatives must be developed in coordination with our ministries of finance and with respect to our countries' legislation.

11. We applaud the joint efforts of the IDB and the OAS in analyzing the problem of education funding in the hemisphere and in identifying strategies to counteract its negative effects. We will thus continue with national, subregional, and hemispheric dialogues to analyze the challenges of funding education, involving finance ministers, education ministers, and members of the business community who are committed to educational endeavors. Another priority is to analyze and discuss the commitment that is required from our political organizations, legislatures, and mass media with respect to education funding and its accomplishment and sustainability, and we urge the hemispheric community to make efforts in that regard.

12. We are convinced that better information is indispensable if we are to improve education. Collectively, we have made a good start by analyzing and publishing data through the indicators of the Summit project led by Chile and with particular support from UNESCO/OREALC and other international agencies. We will advance with a second stage in this effort, improving and extending the comparable indicators and focusing on strengthening the ability of our ministries to gather information and make good use of it. Additionally, we assume the commitment, in each of our nations, of focusing and intensifying efforts to assess the progress made by our students at all levels.

13. During the United Nations Literacy Decade, which began this year under the aegis of UNESCO, we will pursue literacy programs in the continent in order to attain the goals set forth in the Dakar Commitment on Education for All.

14. We are aware of the vital importance of quality basic education for children as a mechanism for securing their physical development and wellbeing, the optimal development of their intellectual capacities, and their creative imaginations and ethical sensitivities. Among the neediest population groups, basic education must be supplemented with prenatal attention, nutrition, and health care for children from birth onwards. We thus reaffirm our commitment of guaranteeing equitable opportunities, including those segments of the population with special educational needs,

through continuous support in order to provide a safe, wholesome, and properly structured environment.

15. We recognize that although we have made progress with enrolment in and coverage of basic education over the past decade, we agree to continue implementing policies to increase coverage and retention and to prevent scholastic failure. So that the children of the neediest families can remain in school, we recommend implementing support programs, such as scholarships, transfers to cover the opportunity costs faced by the very poor, and other social protection policies.

16. We agree to make the necessary efforts to expand the coverage of secondary and high-school education, particularly in the technical arena, including the elements necessary for preparing our young people for life, citizenship, and the workplace, and incorporating into that learning process broad elements of creativity, innovation, and the development of entrepreneurial skills, together with an understanding of economic and educational realities, free enterprise, the role of the state, civil society, and the media, and the development of skills and virtues for their incorporation into those realities. All this must be accompanied by a system to certify the knowledge and skills of those students who graduate from these levels of education.

17. We express our fullest recognition and profound gratitude to teachers, promoters of community education, literacy instructors, and, in general, all the men and women whose professional mission in life is to educate and seek knowledge. In addition, we reaffirm our commitment toward working to maximize the status enjoyed by educators.

18. We underscore the importance of the forums for debating and exchanging experiences and proposals created by the nations of the Americas to generate a continuous process of education, assessment, training, and professional development for teachers, which will serve as a tool for meeting the challenge of interconnecting education policy with social realities, in order to promote equity, overcome the educational differences existing between rich and poor, and, with the help of modern information and communications technologies, devise pedagogical models that will afford teachers proper professional development.

19. We urge our educational communities to increase their efforts to channel education toward achieving committed quality.

20. We recognize the importance of identifying, organizing, and exchanging best practices. We support their critical transfer, together with that of consolidated programs, and we urge the OAS Unit for Social Development and Education to continue with and expand this initiative, incorporating programs from the largest possible number of member states. We also encourage the use of the tools the OAS has at hand to support the implementation of this strategy.

21. We are pleased to have formally established the Inter-American Committee on Education, the technical and political functions of which must work for and build consensus in favor of hemispheric and subregional programs and support the pursuit of the mandates of the Summits of the Americas. We call for permanent participation by organizations and agencies at the international and other levels in helping to design, execute, and follow up on the CIE's programs, thereby allowing closer coordination on projects that address issues common to them.



22. We agree to guarantee the continuity of the Summit projects currently underway: the Regional Education Indicators Program and the Hemispheric Assessment Forum. We also instruct the CIE to develop programs in the areas of equity and quality, education, training, evaluation, the professional development of teachers, and secondary and high-school education, using new information and communication technologies as their shared axis.

23. We thank the Mexican people and government for the special welcome they have extended to us during this Third Meeting of Ministers of Education. In particular, we would like to acknowledge the work of Mexico's Secretariat of Public Education in ensuring the success of this event. We would also like to recognize the importance of the encouraging message given by the President of the United Mexican States, Vicente Fox, on the occasion of the meeting's inauguration.

AG/RES. 1986 (XXXIV-O/04)

REPORT OF THE XIII INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 121 (VII-O/02) and AG/RES. 1858 (XXXII-O/02), "Report of the Twelfth Inter-American Conference of Ministers of Labor"; resolution CEPCIDI/RES. 86 (LXXXVIII-O/03), "Convocation of the XIII Inter-American Conference of Ministers of Labor"; resolution CEPCIDI/RES. 91 (LXXXIX-O/03), "Change of Date and Site of the XIII Inter-American Conference of Ministers of Labor"; resolution CEPCIDI/RES. 94 (XCIV-O/03), "Change of Site of the XIII Inter-American Conference of Ministers of Labor"; and resolution CIDI/RES. 159 (IX-O/04), "Report of the XIII Inter-American Conference of Ministers of Labor";

TAKING INTO ACCOUNT:

That the XII Inter-American Conference of Ministers of Labor adopted resolution TRABAJO/doc.36/01 rev. 2 corr. 1, "Declaration and Plan of Action of Ottawa," which provided for the XIII Conference to be held in Brazil in 2003; and

That the Government of Brazil offered to host the XIII Inter-American Conference of Ministers of Labor; and

CONSIDERING:

That at the Third Summit of the Americas held in Quebec City, the Heads of State and Government reaffirmed the fundamental importance of the Inter-American Conference of Ministers of Labor;

That the XIII Inter-American Conference of Ministers of Labor was held from September 24 to 26, 2003, in Salvador, Bahia, Brazil, with the technical support of the Unit for Social Development and Education and the Executive Secretariat for Integral Development; and

The final report of the XIII Inter-American Conference of Ministers of Labor and the decisions it adopted, contained in document TRABAJO/doc.14/03,

RESOLVES:

1. To congratulate and thank the Government of Brazil for its work in organizing and holding the XIII Inter-American Conference of Ministers of Labor.

2. To endorse the "The Salvador Declaration" and the "Salvador Plan of Action," which were adopted by the ministers of labor of the Hemisphere at the XIII Inter-American Conference of Ministers of Labor and are attached to this resolution.

3. To thank the Government of Mexico for its generous offer to host the XIV Inter-American Conference of Ministers of Labor on October 17 and 18, 2005.

4. To instruct the General Secretariat to continue, through the Unit for Social Development and Education and in coordination with the Executive Secretariat for Integral Development, supporting the process for preparation and follow-up of meetings in the labor sector.

5. To request the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

## THE SALVADOR DECLARATION

1. We, the Ministers participating in the XIII Inter-American Conference of Ministers of Labor of the Organization of American States, met in the city of Salvador, State of Bahia, Federal Republic of Brazil, on September 24, 25 and 26, 2003, to address issues related to globalization which affect employment and labor in the Americas.

2. We reaffirm our strong commitment to the principles of inter-American solidarity and cooperation of the Charter of the Organization of American States (OAS), to pool our efforts to achieve integral development, which encompasses the economic, social, educational, cultural, scientific, and technological fields. We emphasize that equality of opportunity, the elimination of extreme poverty, the equitable distribution of wealth and income, and the full participation of citizens in decisions related to their own development are, inter alia, basic objectives of integral development. To attain such objectives, we agree to dedicate our efforts to achieve, among other goals, the equitable distribution of national income, the payment of fair wages, opportunities for employment, and labor conditions that are consistent with internationally accepted standards.

3. We recall the Inter-American Democratic Charter, approved by the OAS in Lima, Peru, in September 2001 and, in particular, Article 10, which recognizes that the promotion and strengthening of democracy require the full and effective exercise of workers' rights and the application of core labor standards, as recognized in the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work, and its Follow-up, adopted in 1998, as well as other related ILO conventions. Democracy is strengthened by improving working conditions, labor stability and enhancing the quality of life for workers in the Hemisphere. The OAS members restate their commitment to adopting and implementing all those actions required to generate gainful employment, reduce poverty, and eradicate extreme poverty, taking into account the different economic realities and conditions of the countries of the Hemisphere, as recognized in article 12 of the Charter.

4. We emphasize our firm commitment to the goals of the UN Millennium Declaration and, in particular, the eradication of extreme poverty, creating and enabling people everywhere to find decent and productive work. We are committed to the tasks of improved governance and transparency identified in the Monterrey Consensus of the International Conference on Financing for Development.

5. Our deliberations are framed by the commitments agreed to in the Third Summit of the Americas, held in Quebec, Canada in April 2001. At that time, the Heads of State and Government of the Americas instructed us to continue addressing issues related to the effects of globalization on employment and labor, the objectives of creating greater employment opportunities, improving workers' skills, and improving labor conditions throughout the Hemisphere.

6. We note that the upcoming Special Summit of the Americas, to be held in Mexico, will focus on equitable economic growth, social development, and democratic governance. We recognize that our efforts to support the integral development of our peoples are consistent with the objectives of the Special Summit. We commit to working through the Summit of the Americas process, including the Special Summit, to accomplish our objectives.

7. We recall the Ottawa Declaration of the XII Inter-American Conference of Ministers of Labor, held in Canada in October 2001, in which we emphasized our commitment to create more and better employment as an effective means of combating poverty in the region. At that meeting, we approved a Plan of Action that created two Working Groups: one to examine the social and labor dimensions of the Summit of the Americas process, and the other to find ways to build the capacity of Ministries of Labor and institutions to more effectively implement labor legislation and better carry out their mission.

8. We follow attentively the development of the different processes of regional and subregional integration as well as of bi- and multilateral free trade agreements that are implemented in the Hemisphere, as well as their social and labor impacts. Likewise, we observe that each of those processes has generated instruments for promoting development of the social and labor dimension, according to the characteristics, traditions and will of the participant states and the level of participation of the national and regional social actors. In this sense, we recognize the existence of specific and sensitive labor problems in these processes that may require the adoption of appropriate policies that facilitate harmonious hemispheric integration, in accordance with the priority demanded by each specific situation.

9. We reaffirm our commitment to the 1998 Declaration on Fundamental Principles and Rights at Work of the International Labor Organization (ILO), which provides the foundation for broad-based sustainable development and social justice through full respect for the internationally recognized fundamental labor rights. We recall the agreement of our leaders to adopt and implement legislation and policies that provide for the effective application of the labor principles and rights recognized in the Declaration.

10. We reaffirm our conviction that decent work, as conceived by the ILO leadership, is the most effective instrument for the improvement of living conditions for the peoples of our Hemisphere and their participation in the benefits of material and human progress. We embrace the idea that decent work is necessary for sustainable development in each of our countries, and is a condition for the success of hemispheric economic integration. For that reason, the agenda for decent work should become the axis for national and regional development policies, together with investment in health, education, and culture. In addition, we reaffirm our commitment to integrate the gender perspective in the development and implementation of all labor policies.

11. We recall that respect for the principles and rights recognized in the ILO Declaration and the promotion of decent work as foundations for inclusive globalization were central themes of the discussion agenda during the Fifteenth American Regional Meeting held in Lima, Peru, in December 2002.

12. We have viewed with great interest the activities carried out in the region by the ILO World Commission on the Social Dimension of Globalization and we look forward to reviewing its final report.

13. We note with concern that the adverse economic situation in many of our countries, the slowing of growth in the world economy, and the reduction in social investment have had negative effects on the education, health, welfare, and living conditions of the working population, their families, and the community. In many places, increased unemployment, the deterioration of

working conditions and the reduction in the purchasing power of salaries have contributed to the deepening of social and gender inequality.

14. We caution that the policies implemented by our countries in the process of globalization sometimes do not achieve sustainability or reactivation of economic growth and, consequently, opportunities for employment are reduced. We recognize the importance of taking into account the impact of such policies on employment and the standard of living of the population. Social and employment policies should take priority in the political and economic agendas of our countries to permit the successful adaptation of our peoples to the global economy, and to ensure more equitable access to the benefits of globalization.

15. We also note that in many of our countries the opportunities offered by technological innovations and by the dissemination of telecommunications resources do not always translate into benefits to workers and their families. This can result in maintaining and even exacerbating the gulf between those that participate in human progress and those that are excluded from it.

16. We direct our attention toward the segments of the population most affected by economic crises. These tend to be the persons who also suffer from ills, such as illiteracy or limited formal education, lack of vocational skills, misinformation about the labor market, discrimination, lack of social protection and the breakdown of group and family ties. These factors, which often coexist, expose certain segments of the population to intolerable forms of work and condemn them to an existence that is incompatible with human dignity. For this reason, member states should take steps appropriate to their situations. Such steps could include the development of national action plans on decent work, with the assistance of the ILO, and action plans to effectively implement ILO Conventions 138 and 182, and to combat the sexual exploitation of and trafficking in persons, especially women, children, and adolescents, to eliminate forced and compulsory labor; and to promote dignified and productive employment among those working in the informal sector, women, adolescents, people with disabilities, persons living with HIV/AIDS, migrants, and ethnic and religious minorities, as well as generating an environment and conditions of work that are healthy and safe.

17. We are convinced that economic growth and social progress are interdependent and inter-related aspects of the same project for building prosperous, united and equitable societies. Aware of the challenges associated with the creation of decent and productive employment in the context of globalization, we propose to combine the capacities and efforts of our Labor Ministries and other Ministries in the quest for ideas and practices capable of integrating the economic, social and labor dimensions of the regional and national policies of our Hemisphere.

18. We propose a more active role for the Ministries of Labor in the region, one that takes into account the need for the integration of social, labor and economic policies, and the aspirations of countries of the Hemisphere towards deepening their relations in multiple areas, based on shared values and on the realization of common interests. We visualize this new role of the Labor Ministries in different but analogous and complementary levels: at the domestic level, it is important to establish and deepen the institutional relations of the Labor Ministries with the areas of the State in charge of creating and implementing economic policies; at the regional and hemispheric levels, the fundamental issue is to incorporate this focus into the regional and subregional integration and free trade processes. Furthermore, we uphold the connection between labor policies and those in the areas

of education, health, culture, social and economic equality, welfare and leisure, etc., within the framework of promoting the integral development of the human being.

19. For this reason we support and foster efforts to develop, modernize, and strengthen the Ministries of Labor through regional action that takes into account the important role of horizontal cooperation and technical assistance. To that effect, also, we support the proposal to conduct a feasibility study of options for establishing a mechanism, under the auspices of the IACML, oriented toward the modernization of labor administrations, and also to increase international collaboration and coordination in support of these objectives. We will also study the possibility of creating an inter-American mechanism to promote decent work and strengthen training. In these processes, we will consider the experiences and resources available in member states and regional and international organizations, especially the OAS, PAHO and ILO. The countries of the region will contribute to the financing of the aforementioned proposals according to their means.

20. Socioeconomic challenges cannot be faced exclusively through social policies, and adequate consideration must be given to the economic policies necessary to create the capacity to introduce and sustain the social agenda. A social and labor agenda is an integral part of economic growth and is a way of ensuring the equitable distribution of benefits. Diverse factors, such as political instability and conflict, poor policy and institutional frameworks, corruption, absence of overall health, education and social welfare programs, lack of infrastructure and access to technological changes, and unfavorable investment climate, are conducive to poverty and inequality. An integrated policy framework combining economic and social policies must take account of the economic realities countries face in implementing a comprehensive social agenda.

21. The integration of the economic and social development objectives also requires stronger forms of interaction between governments and citizens at the domestic, regional or hemispheric levels. Freedom of association and the right to organize, social dialogue, tripartism and other institutional means of social participation are crucial for generating consensus on these matters. We highly value the participation of the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL) in the IACML.<sup>1/</sup> The Inter-American Democratic Charter declares that citizen participation in development issues is fundamental for the exercise and strengthening of democracy. Social dialogue is the means for achieving the indispensable agreements for ensuring decent work and respect for the basic rights and dignity of people. We want to intensify the dialogue and cooperation with regional and international organizations that are active in the area of development and labor in the Americas, principal among these being the Organization of American States (OAS), the International Labour Organization (ILO), the Inter-American Commission of Women (CIM), the Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), the Caribbean Development Bank (CDB), the Corporación Andina de Fomento (CAF), the Central American Bank of Economic Integration (CABEI), and the World Bank.

22. We follow with interest the negotiations for the formation of the Free Trade Area of the Americas (FTAA), in the framework of the Summit of the Americas process for the purpose of facilitating the contribution of economic integration to the strengthening of democracy, the creation of prosperity, job creation, the reduction in poverty, sustainable development, and the realization of

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1. The Joint CEATAL-COSATE Declaration on the occasion of the XIII Inter-American Ministers of Labor is attached to this Declaration.

human potential. We emphasize the importance of considering the social and labor components of hemispheric integration during all stages of the negotiations process so that they will be given merited treatment. The Labor Ministries must play an essential role in this process.

23. As stated in paragraph 5 of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, we reject the use of labor standards for protectionist purposes. We recall that the Declaration of the VII Meeting of the Ministers of Trade of the Hemisphere, held in Quito, Ecuador, in November of 2002, states that the creation of the FTAA, in order to make viable its objectives, must promote goals that are oriented toward economic development, the creation of jobs, and the effective operation of the labor market in the Hemisphere. In the same document, the Ministers of Trade also recognize the need for greater participation by the various sectors of civil society in the hemispheric initiative. We are pleased to see progress in the participation of civil society in this process.

24. We acknowledge that the activities carried out by the two Working Groups established by the Ottawa Plan of Action have greatly contributed to a better understanding of the social and labor dimensions of globalization and of the modernization of Ministries of Labor. We have reviewed their reports and noted with great interest the areas of consensus and the themes that require further work. We adopt the recommendations set forth in the two reports. Such advances represent an excellent basis for implementing policies and programs designed to promote decent work and strengthen the labor administrations.

25. We recognize the importance of implementing more fully the labor commitments expressed by our Heads of State and Government in the Miami, Santiago and Quebec Summit of the Americas Declarations. We recognize that having convergence between the Summit of the Americas process and the negotiations for a Free Trade Area of the Americas is beneficial.

26. With the objective of implementing actions conducive to the fulfillment of the aforementioned goals and commitments,

WE RESOLVE:

A. To implement a Plan of Action based on this Declaration, on the Declaration and Plan of Action of the Third Summit of the Americas, and on the work of the XII Inter-American Conference of Ministers of Labor of the OAS, and to dedicate the necessary resources to reach this goal.

B. To maintain the two working groups created by the two previous conferences, with the functions defined at those conferences as follows:

Working Group 1, Labor Dimensions of the Summit of the Americas Process, will examine more in-depth globalization issues that are related to employment and labor, focusing on the implications of regional and subregional integration and free trade processes in the Hemisphere for the purpose of identifying fundamental challenges and intensifying collaboration and cooperation in the Hemisphere in seeking the best solutions to these challenges, with a strong emphasis on the integration of economic and social policies.



Working Group 2, Building Capacity of Labor Ministries will work on developing the ability of these entities to respond to challenges of employment and labor in present and future contexts, in horizontal and harmonious cooperation with other entities in the social, health, education, trade, economic and other areas.

In this sense, we commit ourselves to make efforts to consult with the social actors, via COSATE and CEATAL, regarding the social and labor dimensions of regional and subregional integration and free trade processes in the Hemisphere, and to work with them towards achieving decent work based on the principles of social justice, freedom, equality, security and human dignity.

C. To instruct the Working Groups to offer effective contributions toward decent work and the well being of the citizens of the Hemisphere. To that end, the Working Groups will deepen the work of their predecessors and will improve the systems to follow-up and evaluate the results of the previous Plans of Action to the extent that they help create decent work, promote productive employment and improve health, education, social welfare, well-being, and living conditions for the population.

D. To encourage countries of the hemisphere to intensify cooperation and to share knowledge, experiences, and achievements in the area of employment and labor, so that they may overcome the obstacles to development that can accompany the social, economic, and institutional asymmetries between our countries and regions. The deepening of hemispheric cooperation must involve the social and labor forums constituted in the various trade liberalization and integration experiences in the Americas, as well as the regional and international organizations that exercise a critical role in the promotion of employment and in the betterment of working conditions, particularly the Organization of American States (OAS), the International Labour Organization (ILO), the Inter-American Commission of Women (CIM), the Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), the Caribbean Development Bank (CDB), the Corporación Andina de Fomento (CAF), the Central American Bank of Economic Integration (CABEI), and the World Bank.

E. To organize the Fourteenth Inter-American Conference of Ministers of Labor of the OAS in Mexico in 2005.

#### JOINT CEATAL-COSATE DECLARATION

At the XIII Inter-American Conference of Ministers of Labor of the Organization of American States (OAS), the employers and workers of the Americas, represented through the Business Technical Advisory Committee on Labor Matters (CEATAL) and the Trade Union Technical Advisory Council (COSATE) reaffirm that they follow closely the integration and free trade processes of the Americas and, within these processes, the social and labor dimension of integration. They further reiterate the need to continue the relationship of cooperation between the OAS and the ILO in social and labor topics and in the area of the labor dimension of integration, where respect for basic labor rights is guaranteed, based on application of the principles contained in the ILO Declaration on Fundamental Principles and Rights at Work, an essential condition for moving towards development with social justice. In this regard, they agreed to the following:

##### Declaration

- We issue an appeal to the governments to address, with the support of the ILO, employment as a possible to overcome conditions of inequality and delayed development that persist in many countries of our region; create greater opportunities for progress and well-being, as well as generate spaces for high-level dialogue central concern and key element for the development of plans intended to eradicate poverty and that make it between governments, social interlocutors, and international and regional financial institutions for discussion of the situation regarding employment and its current impact on levels of poverty, and thereby contribute to proceeding with the design of harmonious policies in the context of decent work.
- Further, we place special emphasis on the need to generate social dialogue on strengthening education throughout life, and on continuing professional and managerial training as key instruments for the promotion of decent employment in the framework of sustainable development.
- CEATAL and COSATE evaluate positively their participation in the initiatives of the IACML. In the process of deepening such participation, both organizations feel that it would be necessary to change their role as advisory bodies to that of consultative organs of the IACML. They request the ILO in turn to involve ACTEMP and ACTRAV in all the meetings of the Working Groups and the CIMT in support of CEATAL and COSATE, and they reiterate their commitment to continue to collaborate and contribute to that work. To that effect, they draw attention to the need for the OAS and the governments to contribute to strengthening both councils and facilitate the necessary financial mechanisms for ensuring that presence and participation.

President of CEATAL  
Daniel Funes de Rioja

President OF COSATE  
Ericson Crivelli

## SALVADOR PLAN OF ACTION

1. We, the Ministers of Labor of the Americas, gathered in the city of Salvador, State of Bahia, Federal Republic of Brazil, on September 24, 25 and 26, 2003, on the occasion of the Thirteenth Conference of Ministers of Labor of the Organization of American States (OAS), commit ourselves to implement the following Plan of Action:

### A. IMPLEMENTATION OF THE PLAN OF ACTION: ORGANIZATION

2. The Chair *Pro Tempore* of the Thirteenth Inter-American Conference of Ministers of Labor (Brazil) in collaboration with the former Chair (Canada) and the future Chair (Mexico), with the support of the Technical Secretariat of the OAS and in consultation with the representatives of the Trade Union Technical Advisory Council (COSATE), the Business Technical Advisory Committee on Labor Matters (CEATAL), and the Permanent Technical Committee on Labor Matters (COTPAL), will be responsible for promoting the implementation of the Plan of Action and for improving collaboration and cooperation with the social and labor forums constituted in the various trade liberalization and integration initiatives in the Americas, and with the relevant regional and international organizations, such as the Organization of American States (OAS), International Labor Organization (ILO), Economic Commission for Latin America and the Caribbean (ECLAC), Pan American Health Organization (PAHO), Inter-American Development Bank (IDB), Caribbean Development Bank (CDB), the Corporación Andina de Fomento (CAF), the Central American Bank of Economic Integration (CABEI), and the World Bank.

### B. IMPLEMENTATION OF THE PLAN OF ACTION: RESOURCES

3. Member states should devote the available economic, technical, and logistical resources to implement the Plan of Action and to encourage the participation of COSATE and CEATAL. In addition, the Chair *Pro Tempore* will invite the relevant regional and international organizations to make voluntary contributions to support activities and projects included in this plan, and to facilitate the participation of said worker and employer organizations.

### C. IMPLEMENTATION OF THE PLAN OF ACTION: WORKING GROUPS

4. Participation in the Working Groups will be open to all Member states, as well as COSATE and CEATAL. The Chair *Pro Tempore* will seek the means to ensure the active participation of all the member states and the social partners (i.e. the most representative employers' and workers' organizations) in the implementation of the Plan of Action.

#### WORKING GROUP 1: *LABOR DIMENSIONS OF THE SUMMIT OF THE AMERICAS PROCESS*

5. The Working Group will continue examining the topic of globalization in relation to employment and labor, to follow up on those issues that have been already identified as requiring major effort on behalf of the member states and intensifying collaboration and hemispheric cooperation in the search for better shared solutions, with strong emphasis on the integration of economic and social policies in the national, regional, and subregional spheres.

6. In particular, the Working Group will undertake the following activities:
- a. Based on the work accomplished by the XI and XII IACML on different regional agreements and institutions addressing labor standards in the context of integration, and the continued study of labor provisions in emerging free trade agreements, elaborate options emphasizing cooperation, to allow for a better implementation of labor commitments, laws and policies, including through an increase in the capacity of Labor Ministries;
  - b. Conduct further enquiry into the effects of economic integration on labor markets and labor policy, the necessary methods for studying these topics and the means to enable Labor Ministries in smaller economies to undertake such analyses.
  - c. Develop the institutional means to structure coordination and collaboration to strengthen Labor Ministries' capacity to carry out their functions. To this end, commission a feasibility study, with recommendations to be brought forward for the consideration of the XIV IACML;
  - d. To analyze conditions for creating a mechanism to promote decent work and strengthen training to help reduce differences between regions and improve conditions for competitiveness in our countries.
  - e. Extend invitations to senior officials from relevant ministries, as appropriate, to attend the IACML seminars, workshops, and Working Group meetings when agenda items address topics of cross-cutting nature. Ministries of Trade and Ministries of Education were identified in this regard by the Working Group;
  - f. Continue to encourage the active participation of CEATAL, COSATE and key international organizations in the work of the Conference regarding the labor dimensions of the Summit of the Americas process; and
  - g. Convey the contents of this report to Trade Ministers in response to the request in their Quito Declaration of November 2002.

7. The Working Group will consider, as a basis for the development of its mission, the knowledge, results and recommendations that arose from the activities carried out by its predecessors, as well as studies and information that can contribute to the accomplishment of its objectives. In that regard, the group will be attentive, *inter alia*, to the work and recommendations that may arise from the ILO's World Commission on the Social Dimensions of Globalization. The Working Group will prepare a report containing recommendations for consideration at the XIV Conference. These activities will serve as a basis for the adoption of policies and programs intended to reduce or eliminate the decent work deficit in the countries of the Hemisphere.

WORKING GROUP 2: *BUILDING CAPACITIES OF LABOR MINISTRIES*

8. Working Group 2 will follow-up on the efforts of its predecessors in the development of new mechanisms to increase the capacity of the Ministries of Labor, with a particular focus on responding to the challenges of globalization and integration and free trade processes, as well as increasing the efficiency of the policies and actions directed to the promotion of decent work, the improvement of working conditions, and promotion of the labor principles embodied in the ILO Declaration on Fundamental Principles and Rights at Work. The central objective of this group is to develop tools to support ministries of labor -- structure, legal framework, functions, administration, interaction with the surrounding environment --- for the execution of an active role in the contemporary world and in the future. In this regard, we grant special importance to the continuation and deepening of the regional programs for development, strengthening and modernization of labor administrations, that the ILO, OAS and other organizations design and implement in the hemispheric area.

9. The Working Group should consider, in their activities, the input offered by its predecessors. The cooperation and collaboration among the Ministries of Labor, the OAS, ILO, ECLAC, PAHO, IDB, CDB, CAF, CABEI and the World Bank have a strategic significance for obtaining the desired effects, in particular, in developing the capacity of smaller economies and their institutions. As such, the Working Group will build on the work of its predecessors to achieve improved collaboration and coordination, especially in the following fields: by exploring the development of institutional means to structure their efforts to achieve these objectives, by continuing to exchange best practices, by maintaining an inventory of technical assistance and cooperation projects and resources and making it available to IACML members, and by identifying, on the basis of experience, the enabling conditions for sustainable strengthening of institutional capacity.

10. The Working Group should also give special attention to the Horizontal Cooperation Project in the area of Labor, being carried out by the Unit for Social Development and Education (UDSE) of the OAS, based on the critical transfer of consolidated programs and implemented in collaboration with the Inter-American Agency for Cooperation and Development (IACD) and other appropriate units of the OAS General Secretariat. Additionally, the Working Group should consider the results from the USDOL/ILO Project on "Labor Principles and Rights in the context of the XII IACML".

11. The Working Group, in coordination with the ILO, will work to ensure that IACML members are informed of best practices and available resources to raise public awareness of the ILO Declaration about Fundamental Principles and Rights of Work and its follow-up, to communicate and evaluate experiences in the various countries of the Americas with initiatives to eliminate child labor; and to develop within individual countries indicators of fundamental rights as an aspect of decent work, to provide benchmarks for reviewing progress, identifying best practices in those areas, and effectively targeting the resources required to achieve those objectives.

D. IMPLEMENTATION OF THE PLAN OF ACTION: ROLE OF THE MINISTRIES OF LABOR

I – AREAS OF ACTION

12. The Ministries of Labor can play an important role in the generation of opportunities for decent work, the promotion of productive employment, and improvement of working and living conditions, including:

- a. the promotion of the elaboration, revision and updating of labor legislation, promotion of compliance with labor legislation, collective agreements, and international labor standards, particularly those identified in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up;
- b. the creation of decent work, integration of economic, social and labor policies for the creation and expansion of productive employment and income opportunities; integration of labor, education, culture, welfare, and leisure policies; management of public funds for sectors that are more sensitive to the investment-employment relationship, such as the micro and small enterprises, self-employment, cooperatives; employment programs aimed at vulnerable groups such as women, adolescents, persons with disabilities, ethnic minorities; programs for public credit, microfinance, etc;
- c. the existence of efficient social protection systems, monitoring of health and safety conditions in the workplace; stimulating the formalization of non-standard and unprotected work; expanding social security coverage; complying with programs to abolish child labor, sexual exploitation of children and adolescents, and forced and compulsory labor; developing programs to promote equitable treatment in employment and in the workplace;
- d. the promotion of social dialogue: creation and compliance with statutory provisions for strengthening free and autonomous organizations of employers, workers and other social actors; incentives for collective negotiation; institutionalization of spaces for social dialogue and the participation of civil society in decision-making on labor and development matters.

13. The functions and areas constitute the guidelines of the Plan of Action.

II – LEVELS OF ACTION

14. The role of the Ministries of Labor should be carried out at the national, regional and hemispheric levels, which complement one other:

- a. at the national level, as described in the previous section and other corollaries, comprising the actual and immediate environment for action for the governmental institutions;
- b. at the subregional and regional levels comprising the actions that correspond to commitments or intentions resulting from agreements on the formation of free trade areas or integration projects;
- c. at the hemispheric level, covering those actions derived from treaties and agreements of the Americas or identified with the architecture of shared and common projects;

E. IMPLEMENTATION OF THE PLAN OF ACTION: STUDIES, MEETINGS AND SEMINARS

15. By December 2003, the past, present and future Chair *pro tempore* and the Working Groups will jointly develop a calendar of events, in consultation with the Member states, COSATE and CEATAL, as well as the participating regional and international institutions.

16. The Working Groups will schedule three seminars on the theme of integration of the economic and social objectives into national, subregional and regional development policies, the processes of integration and free trade, as well as on the responses of Ministers of Labor to the challenges of promoting decent work in those contexts. These seminars will focus on aspects of this theme, for example, the formulation of a shared vision, the public management of integration, or the creation of institutional means for integration. The preferences, priorities, and interests of the countries and regions of the Hemisphere should be considered in the organization of these seminars.

17. The Working Groups will develop, with technical and financial support from regional and international institutions acting in the social and labor area, a comprehensive study on the topic of promotion of decent work, in its various dimensions, in subregional and regional integration and free trade processes. The study will take into account the social and labor aspects, including those of health and safety, of the subregional experiences of integration and should provide the Ministries of Labor with the theoretical and practical elements necessary for their affirmative participation in the process of negotiation and implementation of this enterprise.

18. The past, present and future IACML Chairs *pro tempore* will direct the development of a feasibility study, in consultation with the Chairs and Vice-Chairs of the two Working Groups, for an "Inter-American Cooperation Mechanism for Professional Labour Administration" with the objective of deepening international collaboration and coordination to modernize labour administrations and support the IACML in its mandate to strengthen the capacity of the Ministries of Labour in the Hemisphere. The study will be administered by the Unit for Social Development and Education of the OAS and will consider the experiences and the resources available within Member states and the regional and international organizations, especially the OAS and ILO that seek to support the strengthening of administrative capacity of the Ministries of Labor. The feasibility study will present a set of specific options and recommendation to the IACML Ministers by the end of July 2004. An interim progress report will be presented to the Working Groups during their first meetings. If member states conclude that the mechanism is feasible, the leadership of the IACML and of the

Working Groups will propose measures for its implementation. The terms of reference for the feasibility study have been included as an appendix to this Plan of Action.

19. The Working Groups will evaluate the activities and the advances made by the Information System on Labor Markets (SISMEL) in the production, harmonization and dissemination of labor statistics and documents in member states. Based on that evaluation, the Working Groups will decide, by December 31, 2003, on advisability of maintaining the SISMEL in its present format or of integrating it into other projects, considering the contribution that this system can offer for the improvement of national statistics, mainly in the smaller economies, and the production of comparable indicators on the labor market of the Hemisphere. In any of the hypotheses, the Ministries of Labor will have to designate the national coordinators of the SISMEL that will be in charge of the feeding and updating of the database and documents, as well as of their dissemination.

20. The Working Groups will consider the opportune means to develop the relationship between the Ministries of Labor and the government bodies with competence in the negotiations. In this regard, maximum efforts will be undertaken, within the framework of existing national and institutional competencies, to establish a comprehensive productive and regular dialogue with the Ministries of Trade, as well as with the Ministries of Education, Health, Social Development and the authorities that are charged with combating poverty, and other ministers involved in the negotiations of the FTAA, to consider the impact of the economic and commercial policies on the local and regional labor markets. In that respect, we note that the Ministers of Trade of the Hemisphere have declared, in the Ministerial Declaration of Quito, their interest in knowing the results of the activities of the Working Group relative to the Labor Dimensions of the Summit of the Americas Process.

#### F. IMPLEMENTATION OF THE PLAN OF ACTION: DIRECTIVES FOR THE FUNCTIONING OF THE WORKING GROUPS

##### Coordination

21. The Working Groups will meet at least twice before the XIV Inter-American Conference of Ministers of Labor, at dates and locations that will be determined by what is said in paragraph 15.

22. The Working Groups will be coordinated by the following Ministers of Labor, elected by this conference, who can perform the functions assigned directly, or through a representative:

WG 1: Minister of Labor of Argentina (Chair *pro tempore*) and Minister of Labor of the United States (Vice Chair);

WG 2: Minister of Labor of El Salvador (Chair *pro tempore*) and Minister of Labor of Canada (Vice Chair).

##### Methodology

23. The Plan of Action addresses a large number of complex themes reflecting the grave challenges before the Ministers of Labor in global economy. In contrast, most Ministries are faced with serious limitations to adequately perform their function. For this reason, it is indispensable that the



Working Groups continue the efforts to improve their methods of work, in order to achieve synergies, maximize efficiencies and disseminate results.

24. The Working Groups should coordinate their work in view of the complimentary nature and interdependence of their plans. Ongoing communication and exchange of knowledge, experience, and results will provide reciprocal benefits.

25. It is fundamental that the Working Groups deepen the actions developed in the prior plans and find the means that will allow for internalization, in the various areas and levels of intervention, the initiatives and recommendations derived from those plans. Furthermore, they should develop systems for monitoring and evaluating the obtained effects in their areas of action.

FEASIBILITY STUDY FOR AN INTER-AMERICAN COOPERATION  
MECHANISM FOR PROFESSIONAL LABOR ADMINISTRATION

A. BACKGROUND

In the Quebec Declaration of the Third Summit of the Americas, the Heads of State and Government established the following mandate:

“In order to advance our commitment to create greater employment opportunities, improve the skills of workers and improve working conditions throughout the Hemisphere, we recognize the need to address, in the relevant hemispheric and international fora, issues of globalization related to employment and labor. We instruct the Inter-American Conference of Ministers of Labor to continue their consideration of issues related to globalization which affect employment and labor.”

In the Plan of Action of the Third Summit of the Americas, the Heads of State and Government also established that, as regards labor and employment,

“direct Ministers to build upon the *Viña del Mar Declaration* which focused on the social dimensions of globalization and the modernization of Labor Ministries”, “create a process for improved collaboration and coordination on the labor dimensions of the Summit of the Americas process” and “develop new mechanisms to increase the effectiveness of projects and other technical assistance designed to build the capacity of smaller economies and their institutions.”

In turn, the Hemisphere’s Ministers of Labor reiterated these mandates in the Ottawa Declaration of the XII Inter-American Conference of Ministers of Labor.

B. NEED FOR AN INTER-AMERICAN COOPERATION MECHANISM FOR  
PROFESSIONAL LABOR ADMINISTRATION

Following up on the mandates set down by Heads of States at the Third Summit of the Americas, in the Ottawa Action Plan of the XII IACML, Ministers undertook to: (1) strengthen the capacity of ministries of labor to develop and implement labor and labor market policies; (2) develop new mechanisms to increase the effectiveness of projects and other technical assistance to build the capacity of labor ministries of smaller economies; and (3) create a process for improved collaboration and coordination with key international institutions within the Americas that have a critical role to play in the improvement of labor conditions;

Labor administration plays a vital role in the more integrated and technologically advanced economy, to which the Americas are looking forward.

Ministries of Labor have a vital and multi-faceted role in providing the necessary foundations to achieve the broad goals of the Summit of the Americas:

- Promoting and protecting the basic principles and rights of workers, as embodied in the ILO Declaration on Fundamental Principles and Rights at Work;
- Preparing workers to succeed in a dynamic integrated economy by providing them with the requisite skills;
- Improving the functioning of labor markets and promoting employment growth by providing workers with training during unemployment and access to employment services to assist in the transition to new employment;
- (Not all labor ministries have sufficient resources to provide workers with increased economic security during unemployment. For example, Mexico has training programs and certain grants for unemployed workers, but does not have unemployment insurance.)
- Fostering the comprehensive development of individuals and the productive potential of workplaces;
- Deepening the understanding of the labor impacts of integration, including through social dialogue; and
- Participating actively in key economic and social policy debates;

Meeting these challenges calls for modernized, professional labor policy making, connectivity, and advanced information, management, social dialogue, alternative dispute resolution, and compliance systems;

Many labor ministries, particularly in the smaller economies, would benefit from capacity strengthening towards these ends;

Technical assistance and horizontal cooperation have a key role to play in strengthening the capacity of labor ministries;

There is a need for further and sustained collaboration and coordination with respect to building the capacity of labor ministries, among governments, social partners and key international organizations in the Hemisphere, building on and complementing existing programs and initiatives such as those of the International Labor Organization, the Organization of American States, and the Inter-American Development Bank;

In particular there is a need to coordinate the information and expertise required for effective horizontal cooperation programs, to situate such programs within overall capacity strengthening strategies likely to yield sustainable results, and for analysis that supports continuous improvement of capacity strengthening initiatives;

C. TERMS OF REFERENCE

1. Purpose

The study will examine feasibility of options for establishing a mechanism, under the auspices of the IACML, designed to serve the following purposes:

MODERNIZATION OF LABOR ADMINISTRATION

Efforts in support of this may include:

- developing and strengthening of a cadre of trained career professionals at the operational (including inspection), policy analysis and administrative levels, and within the mandate of labor ministries at the level of labor adjudication;
- classifying and disseminating information on good practices;
- incorporating modern information technologies to strengthen efficiency in operations and quality of policy analysis;
- modernizing and improving labor ministries as service providers: developing human capital; promoting employment growth; and facilitating the efficient operation of labor markets;
- increasing the effectiveness of strategies;
- implementing management systems to ensure accountability and continuous improvement.

GREATER INTERNATIONAL COLLABORATION AND COORDINATION

Efforts in support of this may include:

- providing a single window through which information on available resources and best practices can be accessed, based on the classification of best practices in specific areas of cooperation;
- identifying and registering cooperation projects undertaken in the region among countries and groups of countries;
- matching needs with horizontal cooperation resources including experienced professionals and experts;
- supporting the development by national governments of comprehensive capacity strengthening programs drawing upon horizontal cooperation and the assistance of relevant international organizations;

- identifying institutional sources of financing to extend existing cooperation projects to other countries and groups of countries;
- researching, analyzing and disseminating information on successful approaches achieving sustainable results;
- identifying unmet needs;
- providing a training ground for young labor professionals.

2. Scope

The study will take into account the needs of OAS member states identified in the work of IACML Working Groups, and other relevant sources including the ILO, ways to maximize the use of communications technologies, available complementary resources, networking possibilities and strategic counterparts in academia within the Hemisphere.

3. Objectives

To deliver a series of specific options and recommendations to guide the Inter-American Conference of Ministers of Labor in the possible implementation of a cooperative mechanism with respect to the following matters:

i. Role

The mechanism should constitute a resource available on request to governments in the Americas to improve the state of labor administration, and to support the IACML in its mandate to strengthen the capacity of labor ministries in the Hemisphere, by furthering the ability of governments and the Conference to achieve the purposes identified in paragraph 1 above.

The mechanism should seek to build upon and complement the resources made available by key international organizations, particularly those of the International Labor Organization, and the Organization of American States, including the OAS SISMELE project. It should avoid duplication of operations.

The study will explore possible functions, including but not limited to:

- *Coordination of International Cooperation*
- creating a pool and managing a network of experienced professional labor administrators available to provide expert assistance to labor ministries, matching needs with available resources;
- building a system of best practices in labor issues in the Hemisphere's countries, allowing IACML members permanent access through the internet and other means;

- identifying and registering cooperation projects undertaken in the region among countries and groups of countries, with a view to increasing the effectiveness and regional reach of cooperation;
  - establishing coordination mechanisms with key international institutions in the Americas for the purpose of compiling data and/or links to information on best practices, resources for international cooperation, and needs assessments;
  - working with the Institute for Connectivity in the Americas to develop internet-based solutions;
  - partnering with SISMELE to promote the modernization of labor and labor market information systems;
  - directly assisting IACML member governments in devising comprehensive and sustainable action plans for capacity strengthening, employing the above resources and drawing upon the International Labor Organization and other agencies with appropriate expertise; and in accessing funding sources to support such plans;
- *Analysis*
- creating a permanent forum for analysis, reflection and exchange of information through the internet;
  - providing periodic experienced-based analyses of conditions for sustainability and effectiveness of programming;
  - developing strategies and new approaches to address unmet needs and achieve sustainable results furthering the aims of the IACML.
- *Training*
- providing labor ministries with a learning ground to train officials and junior staff.

The member states wish to note that the ILO is the appropriate international organization with the exclusive mandate to set international labor standards and to supervise their application through its tripartite supervisory bodies.

ii. Possible Partners

The study will identify organizations at the national and international level that could act as partners in achieving the purposes described in paragraph 1 (including multilateral organizations, universities, and non-governmental organizations whose purpose is educational or that can provide technical expertise).

iii. Financing

The study will identify resource implications of options presented, including potential sources of funding, suggestions for cost-effectiveness and resource cooperation.

iv. Organization and Accountability

The study will examine how any proposed mechanism could be directed most effectively and efficiently while ensuring that the interests of all stakeholders are considered. The study will consider, among other things: how to ensure that any organization or institution, if such is proposed, would be accountable through direct reporting to the IACML; and modalities for a general supervisory structure composed of a permanent, non-remunerated directive committee which should include the troika of past, present and future chairs pro tempore of the IACML, and should also consider the role of representatives of member states, COSATE and CEATAL, key international organizations, and funding organizations.

v. Administration

In the event that an institutional mechanism is proposed, the study will consider how it could be administered including where it should be hosted, human resource implications, anticipated administrative needs (e.g. office supplies, websites, translation services), and implications of the OAS language policy with respect to the collection and dissemination of materials. This may include recommendations for an administrative structure such as a liaison bureau, secretariat or other appropriate model. To keep costs at a minimum, the extensive use of information and communications technology will be considered, as will the possibility that each member state may designate a national administrator to operate through the internet.

vi. Networking

The study will examine the role of any mechanism as a networking focus for labor administration expertise in the Americas and sharing of best practices. The study should also consider the establishment of a virtual mechanism linking labor ministries among themselves as well as to universities, international organizations and other sources of technical expertise in labor administration, on-line training and capacity-building information.

4. Leadership of the Study

The study will be directed by the past, present and future chairs pro tempore of the IACML. It will be administered by the Unit for Social Development and Education of the OAS, drawing upon recognized experts as appropriate.

The study will be produced in consultation with the leadership of the Working Groups, established in the Action Plan of the XIII IACML, as well as with COSATE and CEATAL. The study will provide for an interim report on progress to the first meetings of the Working Groups.

5. Financing

Financing for the study will be provided as follows:

- The Labor Program of the Department of Human Resources Development Canada will provide support in an amount to be determined.
- An amount to be determined in accordance with the resolution adopted by this conference will be allocated from the OAS Summit of the Americas Reserve Sub-Fund, subject to any necessary approvals.

(Other contributors and amounts will be identified as appropriate.)

6. Timing

Submission of outline	February 7, 2004
Submission of preliminary draft to chairs pro tempore and the OAS	April 30, 2004
Meeting of expert consultants with Working Group leadership and report to Working Group members	First Working Group meetings
Submission of final draft to IACML Ministers for approval	June 30, 2004



AG/RES. 1987 (XXXIV-O/04)

XVIII INTER-AMERICAN TRAVEL CONGRESS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 126 (VII-O/02) and AG/RES. 1860 (XXXII-O/02), "Eighteenth Inter-American Travel Congress," CEP/CIDI/RES. 83 (LXXXVIII-O/03), "Change in the Date of the XVIII Inter-American Travel Congress," and resolution CIDI/RES. 152 (IX-O/04) "Report of the XVIII Inter-American Travel Congress,"

TAKING INTO ACCOUNT:

That the sustainable development of tourism can contribute to more equitable distribution of, and greater participation by the community in, economic growth; and

That the Strategic Plan for Partnership for Development 2002-2005 includes sustainable tourism development among its priorities and identifies the improvement of mechanisms for policy dialogue as one of its strategic objectives; and

CONSIDERING:

That the XVIII Inter-American Travel Congress was held in Guatemala City, Guatemala, from June 18 to 20, 2003, with the technical support of the Inter-Sectoral Unit for Tourism and the Executive Secretariat for Integral Development; and

The final report of the XVIII Inter-American Travel Congress and the decisions it adopted, contained in document TURISMO/doc.15/03,

RESOLVES:

1. To congratulate and thank the Government of Guatemala for its work in organizing and holding the XVIII Inter-American Travel Congress.
2. To endorse the "Declaration of Guatemala City" and the "Plan of Action for Sustainable Tourism Development in Collaboration with the Private Sector," which were adopted by the authorities of the sectoral area of tourism at the XVIII Inter-American Travel Congress and are attached to this resolution.
3. To instruct the General Secretariat to continue, through the Inter-Sectoral Unit for Tourism and the Executive Secretariat for Integral Development, supporting the efforts of member states to achieve sustainable tourism in the Americas, by implementing the activities outlined in the attached Plan of Action.

4. To instruct the General Secretariat to continue, through the Inter-Sectoral Unit for Tourism and the Executive Secretariat for Integral Development, supporting the process of preparation for and follow-up of meetings in the tourism sector.

5. To request the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



## DECLARATION OF GUATEMALA CITY

We, the participants in the XVIII Inter-American Travel Congress, gathered in Guatemala City from June 18 to 20, 2003,

### RECOGNIZING,

1. That tourism is an important economic and social force for improving quality of life in the Hemisphere;
2. That tourism is a key element for the economic and social growth and sustainable development of our countries, and should constitute state policy;
3. That the XVIII Inter-American Travel Congress provided a valuable opportunity for dialogue on the "New Challenges of the Tourism Sector and Hemispheric Responses to Sustain Recovery and Growth";
4. The vital role of cooperation in confronting the new challenges being faced by the tourism sector;
5. The importance of the OAS Strategic Plan for Partnership for Development 2002-2005 which is based on the mandates of the Summits of the Americas, and has as one of its priority areas the Sustainable Development of Tourism;
6. The advisability of promoting the adoption of measures to increase the confidence and security of travelers that are compatible with the development and strengthening of the tourism sector;
7. The role of greater and more equitable participation by local communities in contributing to sustainable tourism and development;
8. The importance of tourism programs, projects and activities integrating, to the extent possible, in their formulation and implementation, the following elements: civil society participation; environmental considerations; development of human resources; and gender equality and equity;
9. The on-going efforts of regional and sub-regional organizations in the tourism sector to foster collaboration between the public and private sector; and
10. That the trafficking and exploitation of adolescents, women and children for sex tourism is a serious scourge on our societies which negatively impacts the structure of families and the image of our countries as tourism destinations.

DECLARE

1. That a secure and safe environment is important for the sustainability of the tourism sector.
2. That measures aimed at protecting the health, safety and security of travelers and visitors, and greater cooperation in the exchange of information on these matters, inter alia, facilitate the recovery and strengthening of the tourism sector.
3. That measures that facilitate safe land, air, sea, and river transportation contribute to the sustainability of the tourism industry and thus to the development of our countries.
4. That promoting closer collaboration with multilateral financing agencies in order to find innovative ways to develop financially, environmentally, and socially self-supporting tourism programs will contribute to economic growth and reduction of poverty.
5. That strengthening and promoting horizontal and multilateral cooperation among tourism authorities, regional and sub-regional organizations, and the private sector, is key for the development and implementation of sustainable tourism projects, programs and activities.
6. That it is important to take appropriate actions to enhance the competitiveness of our tourism products and services, by supporting product up-date and improvement, and greater use of information and communication technologies as well as greater cooperation in the area of training, particularly in collaboration with the private sector.
7. That strengthening of the tourism sector through the development of its human resources is of foremost importance, especially at the level of small and medium-sized businesses, and particularly through the use of innovative training methods, such as “distance learning”.
8. That the participation of local communities is necessary in the process of diversifying tourism supply and contributes to the equitable distribution of the benefits of sustainable tourism.
9. That ecotourism can contribute to the overall sustainability of tourism by increasing benefits for the host communities and the awareness of these communities and of the travelers of the need for the conservation and sustained use of natural and cultural heritage.
10. That it is necessary to promote an active and inclusive dialogue among government authorities and representatives of the private sector of the origin, transit and destination countries for the orderly and sustainable development of the tourism sector.
11. That actions must be implemented to prevent and combat the trafficking and exploitation of adolescents, women and children for sex tourism, as well as increase the efforts to seek and obtain financial resources to that end.

PLAN OF ACTION FOR SUSTAINABLE TOURISM DEVELOPMENT  
IN COLLABORATION WITH THE PRIVATE SECTOR

We, the participants in the XVIII Inter-American Travel Congress, gathered in Guatemala City, Guatemala, from June 18 to 20, 2003, determined to work toward the achievement of sustainable tourism in the Americas, reaffirm our support for the following Plan of Action:

Initiatives to be implemented by authorities and relevant entities of the tourism sector

Promote tourism as an integral part of our development programs by:

- Contributing to the creation of an environment conducive to travel by establishing and promoting confidence-building measures for travelers, improving airport, seaport, and border security;
- Working with international, regional and sub-regional tourism organizations in the coordination of activities and the exchange of information for the purpose of developing a climate conducive to tourism development in the Hemisphere;
- Supporting efforts to develop tourism based on sustainable environmental, cultural, and economic considerations and with the application of methodologies and systems that facilitate monitoring of the sector;
- Pursuing the development of new tourism products and services, especially to take advantage of niche markets; and
- Working to incorporate the tourist industry as a priority in the national development strategies of our countries and in regional initiatives.

Strengthen collaboration among authorities and relevant entities of the tourism sector, international, regional and sub-regional organizations, and representatives of the private sector and civil society in promoting and developing sustainable tourism by:

- Specially facilitating participation by the local community in the preparation and implementation of tourism policies and plans;
- Urging a dialogue with all sectors involved in the various modes of transport to facilitate the expansion and improvement of air services in support of tourism, studying, when appropriate, the operating and regulatory framework.
- Designing a regional plan of action, in coordination with the Inter-American Commission of Women and the Inter-American Children's Institute, which would include standards of conduct for the tourism sector, aimed at preventing the trafficking and exploitation of adolescents, women and children for sex tourism;
- Implementing a sustainable development of tourism policy throughout the region by harmonizing tourism certification processes;
- Bolstering efforts to improve air and maritime security, focusing especially on developing actions aimed at facilitating tourist travel by improving immigration and customs policies and air, sea, and overland transportation;
- Strengthening supplier linkages to the cruise sector for services, provisions, and ground activities is necessary in order to capitalize on the untapped opportunities of this important tourism product. We also recommend in-depth research and analysis

with the goal of providing clear recommendations and sharing of best practices to maximize benefits to local communities from the cruise ship sector; and

- Urging the competent authorities in our countries to develop health and safety standards for cruise ships operating within the Hemisphere.

Promote horizontal and multilateral cooperation with the support of international, regional and sub-regional organizations and in particular the OAS by:

- Exchanging information on best practices for dealing with crisis situations for the benefit of visitors;
- Providing and sharing information on best practices applicable to the development of quality tourism programs, projects, and policies especially those aiming at satisfying the sector's requirements and standards;
- Providing and sharing information on best practices in community tourism and supporting member states in their efforts to develop community tourism strategies;
- Supporting the development and diversification of high quality tourism products and services, especially in areas related to cultural, community and ecological tourism; and
- Developing and promoting integrated tourism circuits in order to encourage intra-regional and multiple destination tourism.

Develop and execute technical cooperation projects to strengthen the sustainable development of the tourism sector by means of dialogue with the private sector and other institutions:

- Providing input into the formulation of procedures and measures to improve environmental health and safety standards as they relate to the tourism industry for the protection of travelers;
- Supporting the establishment, as necessary, of appropriate frameworks, policies, and mechanisms to support the development of community tourism projects;
- Promoting awareness of the local communities on the importance of tourism and the public participation in the development of the sector; and
- Working closely with multilateral financing agencies to find innovative ways to develop financially, environmentally, and socially sustainable tourism programs, especially effective mechanisms to promote investment in the development of tourist projects in the Hemisphere, with private sector participation and emphasizing small and medium-sized tourism enterprises.

Support training and human resource development in the tourism industry in order to enhance the competitiveness, quality, and excellence of the tourism sector by:

- Supporting joint public and private sector consultation in the development of a tourism training plan and the creation of a regional center for tourism training that will make it possible for graduates to be absorbed in the labor market;
- Considering alternative and innovative training and education methods through the use of technology, such as "distance learning," which can lower the per capita cost and increase opportunities of access to high-quality programs;

- Facilitating training in the use of new technologies and encouraging the use of the Internet as a tool for improving communication, management and marketing in the tourism sector, and especially in the hotel sector;
- Establishing policies and appropriate programs to support and promote continuous tourism product and service improvement and the training of personnel in order to prepare and implement financially, environmentally and socially sustainable projects; and
- Achieving meaningful participation by local communities through the development of education and awareness programs that underscore the benefits to be derived from tourism and foster national pride, and the preservation of culture, languages, and cultural art forms.

Actions relating to the Inter-American Travel Congress

To strengthen our meeting of Ministers and High Authorities of Tourism, so that it becomes a more dynamic and relevant hemispheric forum, and identify mechanisms to promote an active and coordinated participation by the private sector.

- Instructing the pertinent OAS offices to take those measures necessary for its implementation, taking into account the comments raised during the consideration of this topic by the Congress.



AG/RES. 1988 (XXXIV-O/04)

STATUS OF THE PREPARATION OF THE DRAFT  
INTER-AMERICAN PROGRAM FOR SUSTAINABLE DEVELOPMENT

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES. 132 (VIII-O/03), "Authorization to CEPCIDI for adoption of the Inter-American Program for Sustainable Development *ad referendum* of CIDI," adopted by the Inter-American Council for Integral Development (CIDI) at its eighth regular meeting, on April 25, 2003; and resolution CIDI/RES. 149 (IX-O/04), "Status of the Preparation of the Draft Inter-American Program for Sustainable Development";

CONSIDERING:

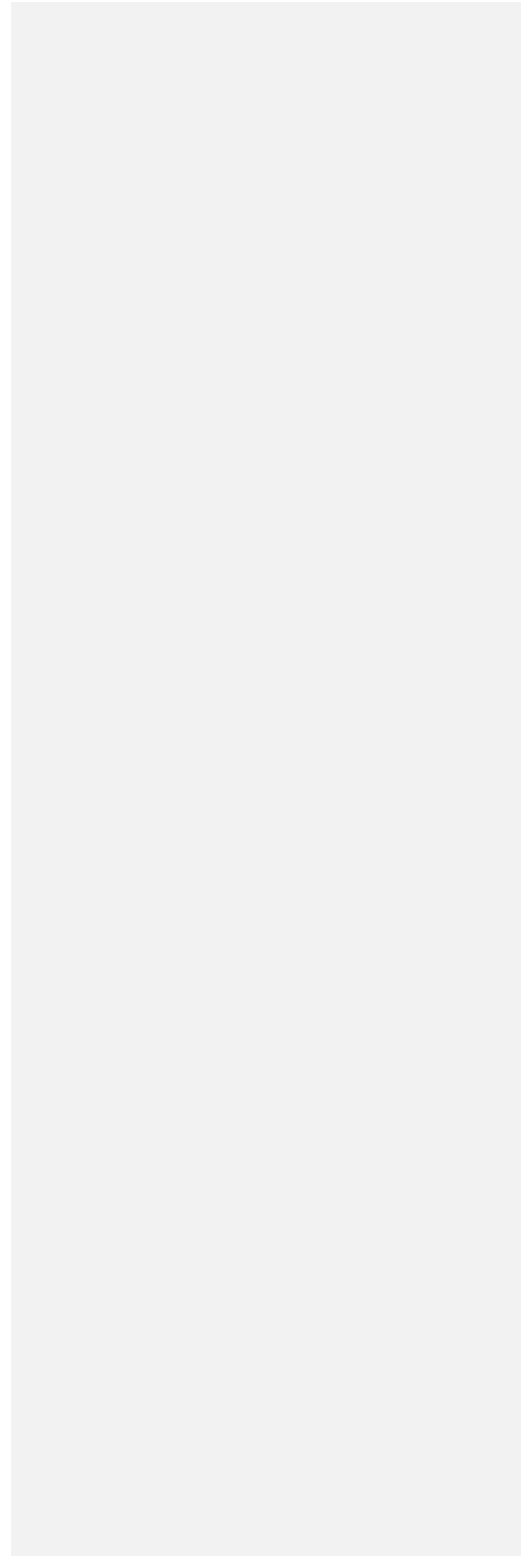
That the Inter-American Committee on Sustainable Development, at its third regular meeting, held on February 11 and 12, 2002, adopted resolution CIDI/CIDS/RES. 1 (III-O/02), "Support for the Summit of the Americas Sustainable Development Initiatives," which assigned high priority to the preparation of the Inter-American Program for Sustainable Development (PIDS); and

That the Working Group on Sustainable Development of the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), in charge of following up on the decisions adopted at the Third Meeting of the Inter-American Committee on Sustainable Development, presented to CEPCIDI at its meeting on April 27, 2004, a progress report on the status of the preparation of the draft Inter-American Program for Sustainable Development 2004-2007 (CEPCIDI/doc.641/04),

RESOLVES:

1. To take note of the progress report presented by the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on the status of preparation of the draft Inter-American Program for Sustainable Development 2004-2007 (CIDI/doc.19/04).
2. To request the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to renew the mandate of its Working Group on Sustainable Development, entrusting it with the task of following up on the decisions adopted at the Third Meeting of the Inter-American Committee on Sustainable Development, as well as that of continuing the preparation of the draft Inter-American Program for Sustainable Development 2004-2007; and, in its study, to take into account proposals on topics that could be included in the draft Inter-American Program.
3. To authorize CEPCIDI to consider the draft Inter-American Program for Sustainable Development 2004-07 and to approve it *ad referendum* of CIDI at its next meeting.

4. To instruct the General Secretariat to continue, through the Unit for Sustainable Development and Environment, as technical secretariat, and the Executive Secretariat for Integral Development, supporting the efforts of the CEPCIDI Working Group on Sustainable Development.



AG/RES. 1989 (XXXIV-O/04)

STRATEGIES FOR RAISING EXTERNAL FUNDS AND EXPANDING AND  
STRENGTHENING THE OAS SCHOLARSHIP AND TRAINING PROGRAMS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 134 (VIII-O/03), "Approval of the Manual of Procedures for the OAS Scholarship and Training Programs"; CIDI/RES. 135 (VIII-O/03), "Approval of the Statutes of the Capital Fund for the OAS Scholarship and Training Programs"; and CIDI/RES. 151 (IX-O/04), "Strategies for Raising External Funds and Expanding and Strengthening OAS Scholarship and Training Programs";

CONSIDERING the marked increase in the number of postgraduate scholarships awarded by the Department of Scholarships and Training between 2001 and 2003, as a result of initiatives such as the OAS-placed scholarships and the corporate scholarship program, as shown in document CIDI/doc.22/04 "Report on the Implementation of Strategies to Mobilize External Resources and Expand the OAS Scholarship and Training Programs";

BEARING IN MIND also the tenuous sustainability of such achievements, given the risks that appear to lie ahead, especially those related to the escalating cost of higher education; and

AWARE of the need to raise additional funds from the public and private sectors of member states and permanent observers of the Organization, as well as from regional and/or international organizations, foundations, or philanthropic institutions and/or institutes of higher learning, in order to cofinance the expansion of graduate and postgraduate, professional development, and technical studies scholarships,

RESOLVES:

1. To take note with satisfaction of the report contained in document CIDI/doc.22/04, "Report on the Implementation of Strategies to Mobilize External Resources and Expand the OAS Scholarship and Training Programs"; and to congratulate the General Secretariat and, in particular, the Department of Scholarships and Training of the Inter-American Agency for Cooperation and Development on the extraordinary expansion of educational opportunities for citizens of member states between 2001 and 2003, which was achieved by maximizing the effectiveness of the resources assigned to the Department of Scholarships and Training.

2. To instruct the General Secretariat to continue, through the Department of Scholarships and Training, its efforts in member states and in permanent observer states to intensify its contacts and joint activities with the private sector, to further expand the consortium of universities with which it has reached educational cost-sharing agreements, and to enter into associations with foundations and national or international scholarship-awarding entities with a view to cofinancing the

expansion of scholarship programs for undergraduate, graduate, professional development, and technical studies.

3. To urge member states and permanent observers to continue their resolute support of the efforts undertaken by the General Secretariat and, in particular, its Department of Scholarships and Training, to raise external funds.

4. To instruct the Preparatory Committee of the General Assembly to include, when it considers the resolution approving the program-budget of the Organization for 2006, through its Subcommittee on Administrative and Budgetary Matters, an operative paragraph authorizing the General Secretariat to deposit in the Capital Fund for the OAS Scholarship and Training Programs all unused or deobligated funds assigned to the OAS Department of Scholarships and Training.

5. To instruct the Preparatory Committee of the General Assembly to consider, through its Subcommittee on Administrative and Budgetary Matters, when it examines the resolution approving the program-budget of the Organization for 2006, restoring appropriations for the Department of Scholarships and Training to the levels approved in the years 1999 to 2001, thereby reestablishing its capacity to continue increasing the number of scholarships it awards each year through the effective leverage of its budgetary resources in a context of rising educational costs.

6. To instruct the General Secretariat to intensify, through the Department of Scholarships and Training, the use of scholarship modalities and measures to reduce the per capita cost of scholarships to the Organization. These include an increased emphasis on the OAS-placed scholarship mechanism; an increase in scholarships for distance studies; partnerships with corporations for local and overseas studies; cofinancing agreements with national scholarship agencies; interagency scholarships; and cost-sharing programs with universities, cooperation agencies, and foundations of permanent observer countries. The Department of Scholarships and Training shall recommend such changes to the Manual of Procedures for the OAS Scholarship and Training Programs that it considers necessary in order to further strengthen the Scholarship and Training Programs.

7. To instruct the General Secretariat to present, through the Department of Scholarships and Training, an annual report to CEPCIDI on the management of its financial resources and on the results of the various strategies implemented to strengthen the Scholarship and Training Programs.

AG/RES. 1990 (XXXIV-O/04)

STUDY OF THE RELATIONSHIP BETWEEN TRADE, DEBT, AND FINANCING

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Article 30 of the Charter of the Organization of American States, which establishes that “[t]he member states, inspired by the principles of inter-American solidarity and cooperation, pledge themselves to a united effort to ensure international social justice in their relations and integral development for their peoples, as conditions essential to peace and security”; and

Article 39 of the Charter of the Organization of American States which recognizes “the close interdependence between foreign trade and economic and social development”;

CONSIDERING:

That in the Declaration of Nuevo León of the Special Summit of the Americas the Heads of State and Government committed to continue implementing sound macroeconomic policies, prudent fiscal and monetary policies, appropriate exchange rate regimes, prudent and appropriate public debt management, diversification of the economy, and the improvement of competitiveness;

That in that same Declaration the Heads of State and Government recognized the important role that trade plays in promoting sustained growth and economic development. They also maintained that sustainable economic growth is the most important factor for the management and servicing of public debt;

That the Declaration of Margarita, which contains the recommendations of the High-Level Meeting on Poverty, Equity, and Social Inclusion, voiced interest in advancing, through bilateral, regional, and global negotiations, the development of an open and transparent international trade system that promotes economic and social development and contributes to the fight against poverty, improved living standards, and enhanced trade opportunities for all; and

That the purpose of the Inter-American Council for Integral Development (CIDI) is to promote cooperation among the states of the Americas with a view to achieving their integral development, especially in economic, social, scientific, and technological fields; and

BEARING IN MIND:

The importance of international trade in the context of globalization and of the proposals to establish free trade areas in the Americas;

Paragraph 36 (“Trade, debt and finance”) of the Doha Declaration, adopted on November 14, 2001, at the Fourth Ministerial Conference of the World Trade Organization;

That in the Declaration of Nuevo León the Heads of State and Government reaffirmed their commitment to advance the Doha Agenda in order to benefit all our economies, particularly developing economies, by promoting, among other measures, better access to markets; by eliminating export subsidies; and by substantially reducing trade-distorting domestic support;

That the Declaration of Margarita underscored that, among other factors mentioned in the Monterrey Consensus, official development assistance and external debt relief, as appropriate, may help to improve the capacities of some countries to promote social and economic development, and that this should be accompanied by sound domestic macroeconomic policies. Therefore, it is necessary to keep working towards new financial and economic domestic and international policies, taking into account the social dimension and the principle of shared responsibility in this regard;

The report presented by the Working Group on Trade, Debt and Finance to the General Council of the World Trade Organization (WT/WGTDF/2); and

Paragraph 13 of the Ministerial Declaration of the FTAA, adopted at the Seventh Meeting of Ministers of Trade of the Hemisphere (Declaration of Quito), which states that “[w]e also recognize the importance of encouraging the promotion of financial policies that are conducive to the growth of hemispheric trade and investment, which could help address the external debt problem of some countries in the Hemisphere.”

RESOLVES:

1. To convene, during the second half of 2004, a joint meeting of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to study the relationship between trade, debt, and financing and to consider the impact of the debt service burden on the fight against poverty.
2. To invite experts on the matter, particularly from the international financial institutions, to participate in the aforementioned joint meeting.
3. To instruct the General Secretariat to support, through the Executive Secretariat for Integral Development and the Trade Unit, the holding of this meeting.
4. To request the Permanent Council and CEPCIDI to report on the implementation of this resolution to the General Assembly at its thirty-fifth regular session.

AG/RES. 1991 (XXXIV-O/04)

INCREASING AND STRENGTHENING CIVIL SOCIETY PARTICIPATION  
IN OAS ACTIVITIES

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly on the activities of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (AG/doc.4265/04 add. 6);

TAKING INTO ACCOUNT resolution AG/RES. 1915 (XXXIII-O/03), "Increasing and Strengthening Civil Society Participation in OAS Activities";

TAKING INTO ACCOUNT ALSO the Guidelines for the Participation of Civil Society Organizations in OAS Activities, approved by the Permanent Council in its resolution CP/RES. 759 (1217/99) and endorsed by the General Assembly in its resolution AG/RES. 1707 (XXX-O/00);

TAKING INTO CONSIDERATION the Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, approved by the Permanent Council on March 26, 2003, by resolution CP/RES. 840 (1361/03), and subsequently endorsed by resolution AG/RES. 1915 (XXXIII-O/03);

TAKING INTO ACCOUNT that the Plan of Action of the Third Summit of the Americas states that, among other initiatives, governments will develop strategies at the national level and through the OAS to increase the capacity of civil society to participate more fully in the inter-American system;

CONSIDERING that the Declaration of Nuevo León, adopted in Monterrey, Mexico, on January 13, 2004, at the Special Summit of the Americas, recognized the role of civil society and its contribution to sound public administration and reaffirmed the importance of continuing to forge new partnerships that will enable constructive ties to be built between governments, nongovernmental organizations, international organizations, and the diverse sectors of civil society to work in favor of development and democracy;

CONSIDERING ALSO that Article 6 of the Inter-American Democratic Charter states: "It is the right and responsibility of all citizens to participate in decisions relating to their own development. This is a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy";

TAKING INTO ACCOUNT that the Declaration of Nuevo León encourages the participation of civil society in the Summits of the Americas process and proposes institutionalizing meetings with civil society and with the academic and private sectors;

NOTING WITH SATISFACTION the establishment of the Specific Fund to Support the Participation of Civil Society Organizations in OAS Activities and in the Summits of the Americas Process, by resolution CP/RES. 864 (1413/04), to support participation by civil society organizations in OAS activities, including the dialogue of heads of delegation, the Secretary General of the Organization, and civil society organization representatives, which has been included on the draft schedule for regular sessions of the General Assembly, before the inaugural session, as a regular activity, as indicated in resolution AG/RES. 1915 (XXXIII-O/03)";

EMPHASIZING the importance of document CP/CISC-106/04, "Review of the Rules of Procedure for Civil Society Participation within the Organization of American States";

RECOGNIZING that it is important for civil society organizations to play a role in strengthening democracy in all member states and to make a significant contribution to the activities of the OAS and of the organs, agencies, and entities of the inter-American system; and

RECOGNIZING ALSO that civil society participation in OAS activities should be carried out in a context of close collaboration between the political and institutional bodies of the Organization,

RESOLVES:

1. To reaffirm the commitment of the member states to continue strengthening mechanisms for civil society participation in the Summits of the Americas process and in the activities of the OAS, as well as the willingness of the Organization to implement concrete actions designed to achieve the effective participation of civil society in the Summits process and the OAS.

2. To instruct the Permanent Council, the Inter-American Council for Integral Development (CIDI), and the General Secretariat, in coordination with all organs, agencies, and entities of the OAS, to continue to facilitate the implementation of the Strategies for Increasing and Strengthening Participation by Civil Society Organizations in OAS Activities, approved by the Permanent Council on March 26, 2003 [CP/RES. 840 (1361/03)] and endorsed by resolution AG/RES. 1915 (XXXIII-O/03), "Increasing and Strengthening Civil Society Participation in OAS Activities."

3. To urge member states to report on existing procedures and regulations at the national level regarding consultations with civil society on the formulation of government policies and decision-making, to allow for an exchange of experience and best practices among the member states.

4. To continue to actively support the registration of civil society organizations and their participation in OAS activities.

5. To request that the Permanent Council, through the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities, with the active participation of the Secretariat for the Summit Process, prepare a report on the results achieved to date with respect to civil society participation in the Summits process and in the activities of the OAS, incorporating the views of registered organizations with respect to access to information, transparency of the mechanisms for participation, and modalities for participation.



6. To invite all member states, the permanent observers, and other donors, as defined in Article 73 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States and other rules and regulations of the Organization, to contribute to the Specific Fund to Support the Participation of Civil Society Organizations in OAS Activities and in the Summits of the Americas Process, in order to support participation by civil society organizations in OAS activities, including the dialogue of heads of delegation with representatives of civil society organizations.

7. To continue to urge member states to:

- a. Participate in the dialogue of heads of delegation with representatives of civil society organizations; and
- b. Continue their efforts to open broader windows of participation in OAS activities to civil society organizations.

8. To recognize the efforts of the host country to work with the General Secretariat and civil society organizations in order to facilitate and help organize civil society participation in the dialogue of heads of delegation, the Secretary General of the Organization, and civil society organization representatives, in accordance with the provisions of resolution CP/RES. 840 (1361/03); and to encourage future hosts to continue and build on these traditions.

9. To instruct the General Secretariat to continue to support member states that so request in their efforts to increase the institutional capacity of their governments to receive, absorb, and act on civil society input and advocacy, if possible through the use of information and communication technologies.

10. To instruct the General Secretariat to carry out the activities referred to in this resolution within the resources allocated in the program-budget of the Organization and other resources.

11. To request the Permanent Council to present a report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 1992 (XXXIV-O/04)

FOLLOW-UP TO THE SPECIAL SUMMIT OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Special Summit of the Americas was held in Monterrey, Nuevo León, Mexico, on January 12 and 13, 2004;

That the Heads of State and Government adopted the Declaration of Nuevo León with the fundamental purpose of “advanc[ing] implementation of measures to combat poverty, to promote social development, to achieve economic growth with equity, and to strengthen governance in our democracies”;

That the Summits of the Americas process and the Declaration and Plan of Action adopted at the Third Summit of the Americas, held in Quebec City, have established political priorities at the hemispheric level that define the inter-American agenda and are consistent with the principles and priorities of the Organization;

That in the Declaration of Nuevo León the Heads of State and Government recognized the important work of the Organization of American States and, in particular, of the Secretariat for the Summit Process in following up on the Summits of the Americas; and

That the Plan of Action of the Third Summit of the Americas recognized the function performed by the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities in coordinating OAS efforts in fulfillment of and follow-up to the commitments undertaken in the Summits of the Americas process,

RESOLVES:

1. To reaffirm the commitments undertaken in the Declaration of Nuevo León and to urge member states to implement, promote, and increase awareness of them.

2. To invite member states to present information on the progress made by their countries in meeting the commitments set out in the Declaration of Nuevo León, to be reported on to the Fourth Summit of the Americas, and to request the Secretariat for the Summit Process to prepare a consolidated report, for presentation to the Summits process.

3. To instruct the General Secretariat, in the context of resolutions AG/RES. 1994 (XXXIV-O/04), AG/RES. 1965 (XXXIII-O/03), AG/RES. 1847 (XXXII-O/02), AG/RES. 1824 (XXXI-O/01), and AG/RES. 1752 (XXX-O/00), to:

- a. Implement, promote, and increase awareness of the commitments undertaken at the Special Summit of the Americas; and
- b. Coordinate, through the Secretariat for the Summit Process, the activities and programs of its various units and offices involved in implementation of the commitments set out in the Declaration of Nuevo León.

4. To instruct the Permanent Council to coordinate with the other OAS bodies and the institutions of the Joint Summit Working Group, with the support of the Secretariat for the Summit Process and in the context of resolutions AG/RES. 1994 (XXXIV-O/04), AG/RES. 1965 (XXXIII-O/03), AG/RES. 1847 (XXXII-O/02), AG/RES. 1824 (XXXI-O/01), and AG/RES. 1752 (XXX-O/00), in following up on the commitments established in the Declaration of Nuevo León and present a follow-up report to the General Assembly at its thirty-fifth regular session.

AG/RES. 1993 (XXXIV-O/04)

MEXICO CITY PLAN OF ACTION ON DECENTRALIZATION AND  
STRENGTHENING OF MUNICIPAL AND REGIONAL ADMINISTRATIONS  
AND CITIZEN PARTICIPATION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on the implementation of resolution AG/RES. 1965 (XXXIII-O/03), "Support for and Follow-up to the Summit of the Americas Process";

REAFFIRMING its firm intent to pursue the commitments undertaken by the Heads of State and Government at the Summits of the Americas in Santiago (1998) and Quebec City (2001) on strengthening municipal and regional administrations and promoting citizen participation in government policies;

BEARING IN MIND resolution AG/RES. 1901 (XXXII-O/02), "Declaration of La Paz on Decentralization and on Strengthening Regional and Municipal Administrations and Participation of Civil Society," issued in June 2002 as a result of the first meeting of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD);

EMPHASIZING the recognition in the Declaration of La Paz that "decentralization, support for local governments, training, and citizen participation are genuine instruments for carrying out many of the Summit mandates, such as those on state modernization, the struggle against poverty, productive development, strengthening of democracy, citizen security, education, health, citizen inclusion and participation, infrastructure, disaster management, the fight against corruption, environmental management and access to technology";

REAFFIRMING ALSO the commitment of member states to consolidating the RIAD; and

RECOGNIZING the work of the Unit for the Promotion of Democracy of the General Secretariat, as technical secretariat of the RIAD, and the OAS in promoting and consolidating democratic governance in the Hemisphere, as well as the role of civil society and of local government organizations in following up on and strengthening those efforts,

RESOLVES:

1. To welcome the holding in Mexico City, from September 24 to 26, 2003, of the Second Meeting of Ministers and High-Level Authorities Responsible for Policies on Decentralization, Local Government, and Citizen Participation, in keeping with resolution AG/RES. 1901 (XXXII-O/02), as well as the results of that hemispheric meeting.

2. To express its firm support for the objectives established by the ministers and high-level authorities through the Mexico City Plan of Action on Decentralization and Strengthening of Municipal and Regional Administrations and Citizen Participation.

3. To promote the implementation of this Plan of Action, considering each country's national context and phase of decentralization, by way of the following strategic guidelines:

- a. Conduct of practical and concrete activities consolidating the link between members of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD), including: a strategic plan for consideration by the RIAD at its third meeting, the RIAD Internet page for a fluid and periodic exchange of information on decentralization skills and experience, and one or more meetings (either subregional or on specific topics) for technical follow-up on the biennial meeting of ministers and local authorities, among others;
- b. Establishment of basic parameters and frames of reference to facilitate comparison of experience, systematic organization of results, and orientation of decentralization policies through the RIAD; and
- c. Development and improvement of methodologies and strategies for raising the quality of decentralization processes in each country, in areas such as decentralization policies with a long-range focus, coordinated and cooperative intergovernmental relations, fiscal and financial improvements at the various levels of government, stronger public involvement in the design and execution of government policies, use of national methods to address the challenges of decentralization, and support for strengthening national and regional associations of local governments, among others.

4. To note with satisfaction the objective of forming a technical and financial support group for international cooperation, coordinated by the Unit for the Promotion of Democracy (UPD), in its capacity as technical secretariat of the Network, to ensure the necessary resources for implementation of the Mexico City Plan of Action and to identify activities, experiences, needs, and the possible contributions of members to the fulfillment of the RIAD objectives.

5. To instruct the chair and vice chair pro tempore of the RIAD, with support from its four assistant vice chairs and from the UPD, in its capacity as technical secretariat, to follow up on activities and the implementation of the Mexico City Plan of Action, by preparing periodic progress reports to the member countries of the Network and the OAS, including the Secretariat for the Summit Process.

6. To express its appreciation to the Government of Mexico for organizing the Second Meeting of Ministers and High-Level Authorities Responsible for Policies on Decentralization, Local Government, and Citizen Participation, and for the impetus given by the said meeting to the areas of decentralization, regional and local governance, and civil society participation.

7. To thank also the Government of Brazil for its offer to host the third meeting of this hemispheric mechanism, to be held in the second half of 2005, and to request the valuable support of the General Secretariat in organizing the meeting.

8. To instruct the Permanent Council to convene that meeting.

9. To request the Secretary General to present a report on the implementation of this resolution to the General Assembly at its thirty-fifth regular session.

AG/RES. 1994 (XXXIV-O/04)

SUPPORT FOR AND FOLLOW-UP TO THE SUMMITS OF THE AMERICAS PROCESS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly on the activities of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities in 2003-2004 (AG/doc.4265/04 add. 6);

BEARING IN MIND the initiatives emanating from the First Summit of the Americas (Miami, 1994); the Summit of the Americas on Sustainable Development (Santa Cruz de la Sierra, 1996); the Second Summit of the Americas (Santiago, 1998); the Third Summit of the Americas (Quebec City, 2001); and the Special Summit of the Americas (Monterrey, 2004);

BEARING IN MIND ALSO the decision of the member states to hold the Fourth Summit of the Americas in Argentina in 2005;

RECALLING that, in resolution AG/RES. 1349 (XXV-O/95), the General Assembly established a Special Committee of the Permanent Council on Inter-American Summits Management, open to all member states, to ensure effective, timely, and appropriate follow-up of the activities assigned to the Organization by the Summit of the Americas and to coordinate OAS preparation, participation, and follow-up with regard to future Summits;

RECALLING ALSO that, at its meeting of July 31, 2002, the Permanent Council decided to merge the Special Committee on Inter-American Summits Management and the Committee on Civil Society Participation in OAS Activities, which then became the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC);

TAKING INTO ACCOUNT the mandates arising from the Plan of Action of the Third Summit of the Americas and, in particular, those contained in the section "Follow Up to the Plan of Action," which also contains an acknowledgment of the function that the CISC fulfills in coordinating OAS activities in this regard and in serving as a forum for civil society to contribute to the Summits of the Americas process; as well as the establishment, by Executive Order No. 02-3, of the Secretariat for the Summit Process;

RECALLING that the Declaration of Quebec City recognizes the significant results of the ministerial meetings held in support of the mandates of the Summits of the Americas as well as the importance of the contribution made by civil society to the Summits process;

RECOGNIZING that the CISC has served as a framework for civil society participation in the Summits of the Americas process;

RECOGNIZING ALSO the work of the Joint Summit Working Group, comprising the Organization of American States, the Economic Commission for Latin America and the Caribbean (ECLAC), the Inter-American Development Bank (IDB), the Pan American Health Organization (PAHO), the World Bank, the Inter-American Institute for Cooperation on Agriculture (IICA), the Andean Development Corporation (CAF), the Caribbean Development Bank (CDB), and the Central American Bank for Economic Integration (CABEI);

BEARING IN MIND the Special Summit of the Americas, held in Monterrey, Nuevo León, Mexico, on January 12 and 13, 2004, and the adoption and signature of the Declaration of Nuevo León;

RECALLING that the Summits process encourages full participation by civil society and that, in the Declaration of Nuevo León, the Heads of State and Government undertake to institutionalize meetings with civil society and with the academic and private sectors; and

Commented [K11]: Verbatim, Declaration of Nuevo León. KRL

RECOGNIZING ALSO the importance of coordinated, timely, and effective follow-up of the Plan of Action of the Third Summit of the Americas, the Declaration of Nuevo León, and the previous plans of action, as well as the preparatory work for the Fourth Summit of the Americas and the pivotal role of the inter-American system, and especially of the OAS, in this matter,

RESOLVES:

1. To urge member states to continue to implement the commitments of the Summits of the Americas and to promote and disseminate them within their respective national administrations.
2. To renew the mandate issued to the Permanent Council to coordinate the activities assigned to the Organization of American States by the Summits of the Americas.
3. To instruct the organs, agencies, and entities of the Organization to continue to give the highest priority to carrying out the initiatives assigned to them by the General Assembly, in accordance with the mandates of the Summits of the Americas, and to report regularly on these activities, as appropriate, to the Permanent Council, the Inter-American Council for Integral Development, and the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities.
4. To request the General Secretariat to continue to serve, through the Secretariat for the Summit Process, as the institutional memory and secretariat of the Summits of the Americas process, in keeping with the Plan of Action of the Third Summit of the Americas and the Declaration of Nuevo León; to support the follow-up and dissemination of mandates as well as the preparation and technical coordination of future summits; and to offer to help member states implement the mandates assigned in the Plans of Action.
5. To instruct the Permanent Council to continue to promote and facilitate civil society participation in topics assigned to the OAS by the Summits of the Americas process, as well as the efforts of member states to foster such participation.



6. To request that the General Secretariat, by way of the Joint Summit Working Group, chaired by the OAS Secretariat for the Summit Process:

- a. Present an annual report to the Summit Implementation Review Group (SIRG) with regard to the support provided to member states in pursuing Summit mandates;
- b. In its capacity as coordination mechanism, continue to promote the implementation and follow-up in all agencies of the Plans of Action of the Summits of the Americas and of the Declaration of Nuevo León;
- c. Assist in the preparatory work for the Fourth Summit of the Americas, to be held in Argentina; and
- d. Hold at least one meeting of agency heads each year to review progress made and plan joint activities, as a complement to the regular interagency meetings.

7. To request the General Secretariat to continue providing the necessary support for ministerial and sectoral meetings related to the implementation of Summit mandates and commitments on topics of interest to the OAS.

8. To request the General Secretariat to make efforts, through the Secretariat for the Summit Process, to promote and disseminate among the various social actors the mandates and commitments emanating from the Summits of the Americas so that these actors may contribute to their implementation.

9. To request the General Secretariat to strengthen the Secretariat for the Summit Process so that it may have the human and financial resources it needs to support the follow-up and dissemination of the mandates of the Summits of the Americas and the preparations for the Fourth Summit of the Americas, to be held in Argentina.

10. To instruct the General Secretariat to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources; and to instruct the Secretary General to seek additional voluntary funds to carry out the activities mentioned in this resolution.

11. To urge member states to continue contributing to the Specific Fund for the Summit Implementation Review Group (SIRG) in order to provide financial support for the Group's activities.

12. To request the General Secretariat to submit to the Permanent Council, through the Secretariat for the Summit Process, systematic and detailed information on the budgetary and financial management of said Specific Fund.

13. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 1995 (XXXIV-O/04)

SUPPORT FOR THE PROGRAM FOR COMPREHENSIVE ACTION AGAINST  
ANTIPERSONNEL MINES IN CENTRAL AMERICA

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular as it relates to the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1), as well as the report of the General Secretariat on the implementation of resolution AG/RES. 1934 (XXXIII-O/03), "Support for the Program of Integral Action against Antipersonnel Mines in Central America" (CP/doc.3864/04);

RECALLING resolution AG/RES. 1934 (XXXIII-O/03), as well as resolution AG/RES. 1240 (XXIII-O/93), "Inter-American Defense Board";

AWARE that the presence in Central America of antipersonnel mines and other undetonated explosive devices represents a continuing threat to the population and has disastrous effects, primarily on the civilian population, causing tragedy to individuals and families, standing in the way of socioeconomic development in vast and rich rural areas, and affecting border integration among countries of that subregion;

ACKNOWLEDGING the continuing efforts being made by the Governments of Guatemala, Honduras, and Nicaragua to complete mine-clearing activities, which governments, together with the Government of El Salvador, are working arduously to strengthen programs aimed at providing assistance for the physical and psychological rehabilitation of victims and their families, to develop preventive education campaigns on the dangers of antipersonnel mines, and to achieve socioeconomic reclamation of demined areas and the social and vocational reintegration of the victims;

NOTING WITH SATISFACTION:

That Central America is a region free of stockpiled antipersonnel mines, an effort completed in August 2002, when the Government of Nicaragua destroyed the last 18,435 stockpiled antipersonnel mines, once again fulfilling one of the objectives of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention), of December 1997;

The small but significant contribution made by Nicaragua and Honduras in sending to their sister countries Peru and Ecuador international supervisors from their armies to share and impart their experience and skill in the removal and destruction of placed and stockpiled mines; and

The efforts of the Central American Security Commission, through the appropriate bodies in each country, to devise and execute a comprehensive regional program for the education, medical

care, rehabilitation, and social and vocational reintegration of survivors of mines and other explosive devices in Central America; and

RECOGNIZING ALSO:

The valuable contributions by member states, such as Argentina, Bolivia, Brazil, Canada, Colombia, El Salvador, the United States, and Venezuela; by permanent observers, such as Denmark, the European Union, France, Italy, Japan, the Netherlands, Norway, the Russian Federation, South Korea, Spain, Sweden, and the United Kingdom; and by Central American member states affected by antipersonnel mines, including El Salvador, Guatemala, Honduras, and Nicaragua, which have helped their neighbor countries, all in collaboration with the Program for Comprehensive Action against Antipersonnel Mines (AICMA);

The important coordination, promotion, and fundraising work carried out by the General Secretariat, through AICMA of the Unit for the Promotion of Democracy and for programs aimed at humanitarian demining and the physical and psychological rehabilitation of victims and their families, preventive education, and the socioeconomic reclamation of demined areas; and

Commented [2]:

The vital support of the Committee on Hemispheric Security and the valuable technical advice provided to AICMA by the Inter-American Defense Board;

Commented [3]:

RESOLVES:

1. To encourage the Central American states in their efforts to continue treating demining as a priority issue at the national and regional levels and to generate the political will necessary for the Hemisphere to maintain its global position at the forefront of this vital humanitarian task.

2. To reiterate its appeal to member states and permanent observers, as well as to the international community in general, to continue to lend their indispensable support and cooperation to the Program for Comprehensive Action against Antipersonnel Mines (AICMA) in Central America.

3. To request the Secretary General to continue efforts with donors with a view to ascertaining the progress made and identifying the financial resources needed to ensure the integrity and sustainability of the AICMA.

4. To instruct the General Secretariat to continue to provide to the Central American countries, within the resources allocated in the program-budget and other resources, the support necessary to continue the mine-clearing programs, as well as those aimed at preventive education of the civilian population, rehabilitation of victims and their families, and the socioeconomic reclamation of demined areas;

Commented [4]:

5. To instruct the General Secretariat to continue to carry out international cooperation and coordination activities in this area with the appropriate international organizations.

6. To request the Inter-American Defense Board to continue to provide technical advice to AICMA.

7. To request the General Secretariat to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

8. To request the Secretary General to transmit this resolution to the United Nations Secretary-General and to other international organizations as he deems appropriate.

AG/RES. 1996 (XXXIV-O/04)

TRANSPARENCY AND CONFIDENCE- AND SECURITY-BUILDING IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

BEARING IN MIND that, under Article 2 of the Charter of the Organization of American States, one of the essential purposes of the Organization is to strengthen peace and security in the Hemisphere;

RECALLING its resolutions AG/RES. 1121 (XXI-O/91) and AG/RES. 1123 (XXI-O/91), on strengthening peace and security in the Hemisphere; and AG/RES. 1179 (XXII-O/92), AG/RES. 1237 (XXIII-O/93), AG/RES. 1284 (XXIV-O/94), AG/RES. 1288 (XXIV-O/94), AG/RES. 1353 (XXV-O/95), AG/RES. 1409 (XXVI-O/96), AG/RES. 1494 (XXVII-O/97), AG/RES. 1566 (XXVIII-O/98), AG/RES. 1623 (XXIX-O/99), AG/RES. 1744 (XXX-O/00), AG/RES. 1801 (XXXI-O/01), AG/RES. 1879 (XXXII-O/02), and AG/RES. 1967 (XXXIII-O/03), on confidence- and security-building measures (CSBMs);

RECALLING ALSO its resolutions AG/RES. 1607 (XXIX-O/99), AG/RES. 1749 (XXX-O/00), AG/RES. 1799 (XXXI-O/01), AG/RES. 1881 (XXXII-O/02), and AG/RES. 1967 (XXXIII-O/03), on the Inter-American Convention on Transparency in Conventional Weapons Acquisitions;

NOTING WITH SATISFACTION that the Governments of Argentina, Canada, Ecuador, El Salvador, Guatemala, Nicaragua, Paraguay, Peru, and Uruguay have deposited their instruments of ratification of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, which entered into force on November 21, 2002, and that 20 OAS member states have signed it;

BEARING IN MIND the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, Mexico, in October 2003;

NOTING the significant progress made in identifying and applying confidence- and security-building measures since the adoption of the Declaration of Santiago on Confidence- and Security-Building Measures (Santiago, 1998), which has helped to reduce factors that generate distrust and has contributed to the promotion of transparency and mutual confidence; and

CONSIDERING:

That the Heads of State and Government, at the Second and Third Summits of the Americas (Santiago, 1998, and Quebec City, 2001), pledged to continue promoting transparency in defense and security matters;

That, in the above-mentioned Declaration on Security in the Americas, member states acknowledged "the need to find prompt and peaceful solutions to the controversies that persist in the

Hemisphere” and undertook “to make every effort to reach negotiated agreements based on justice and full respect for international law and treaties in force”; and

That, also in the said Declaration on Security in the Americas, member states affirmed that “[c]onfidence- and security-building measures and transparency in defense and security policies contribute to increasing stability, safeguarding hemispheric and international peace and security, and consolidating democracy.”

RESOLVES:

1. To urge member states to implement, in the manner they deem most appropriate, the recommendations contained in the Declaration of Santiago and the Declaration of San Salvador on Confidence- and Security-Building Measures; in the Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security; and in resolution AG/RES. 1179 (XXII-O/92).

2. To urge all states which have not already done so to consider signing, ratifying, or acceding to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions; and to request the Secretary General to present a report to the Permanent Council, prior to the thirty-fifth regular session of the General Assembly, on the status of signatures and ratifications of, and accessions to, this Convention.

3. To commend member states that have regularly submitted their reports on the application of the confidence- and security-building measures (CSBMs) contained in the above-mentioned Consensus and Declarations; and to urge all member states to provide or continue to provide such reports and information on the application of CSBMs to the General Secretariat, by July 15 of each year.

4. To request that the General Secretariat and the Inter-American Defense Board update the inventory of CSBMs based on reports presented by member states, that the Board also update its inventory of CSBMs in other regions, and that they present an annual update of these inventories to the Committee on Hemispheric Security (CSH).

5. To endorse the conclusion of the Special Conference on Security with respect to confidence- and security-building, as set out in paragraph 17 of the Declaration on Security in the Americas, in which the member states recognized that, “as stated in the Declarations of Santiago and San Salvador and the Consensus of Miami, confidence- and security-building measures increase transparency and understanding among the states of the Hemisphere and directly bolster regional stability”; affirmed “that the implementation and further development of confidence- and security-building measures, within the constitutional framework of each state, contribute to peace in the Hemisphere”; and committed to “build mutual confidence by implementing, as appropriate, confidence- and security-building measures identified in the aforementioned instruments and those established under bilateral and multilateral instruments and other arrangements.”

6. To instruct the Permanent Council to convene the CSH as the Forum for Confidence- and Security-Building Measures to meet in the first semester of 2005 in order to review and evaluate existing CSBMs and to discuss, consider, and propose new CSBMs.

7. To reiterate its request that the competent bodies of the Organization of American States and other appropriate national, subregional, and regional institutions develop specific confidence-enhancing measures<sup>1/</sup> identified in the Illustrative List of Confidence- and Security-Building Measures of the Miami Meeting of Experts on Confidence- and Security-Building Measures and provide a written submission to the CSH.

8. To request member states to develop specific confidence-enhancing measures to address the new threats, concerns, and other challenges identified in section IV of the said Illustrative List of Confidence- and Security-Building Measures and inform the CSH on their actions in this regard.

9. To urge member states to continue promoting transparency in defense policy with regard to, among other things, modernization of the armed forces, including changes in their structure and composition, the acquisition of equipment and materiel, and military expenditures, and by considering the Guidelines on Developing National Defense Policy and Doctrine Papers, adopted by the Permanent Council.

10. To maintain as a goal universal participation in the United Nations (UN) Register of Conventional Arms and the UN Standardized International Reporting of Military Expenditures, in accordance with the pertinent resolutions of the UN General Assembly; and to renew its request that member states provide said information to the OAS Secretary General by July 15 of each year.

11. To encourage member states to use the Organization of American States Information System (OASIS) communication network for the instantaneous exchange of information on security matters, including CSBMs.

12. To request the General Secretariat to include in OASIS the following information, *inter alia*, provided by member states under the Inter-American Convention on Transparency in Conventional Weapons Acquisitions and to the UN Register of Conventional Arms, the UN Standardized International Reporting of Military Expenditures, the OAS Roster of Experts on Confidence- and Security-Building Measures, and the OAS Register of Antipersonnel Land Mines.

13. To instruct the Permanent Council to continue to encourage the exchange of experiences in the area of confidence- and security-building measures with other regions, which may include the exchange of information between the CSH and other international organizations working on the subject, such as the United Nations, the Organization for Security and Co-operation in Europe (OSCE), and the Association of South-East Asian Nations Regional Forum (ARF) and to request the Permanent Council to hold the next round of OAS-OSCE consultations and OAS-ARF consultations.

14. To request the Secretary General to update each year, on the basis of information submitted by member states each year by July 15, the Roster of Experts on Confidence- and Security-Building Measures, and to circulate it to the member states each year by July 30.

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1. The delegation of Brazil requested a review of the translation into the other official languages of the English term "confidence-enhancing measures." This review is pending.

15. To request the Secretary General to transmit this resolution to the Secretary-General of the UN, the Secretary General of the OSCE, the President of the ARF, and other pertinent regional organizations.

16. To instruct the Permanent Council and the General Secretariat, as appropriate, to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

17. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



AG/RES. 1997 (XXXIV-O/04)

PROLIFERATION OF AND ILLICIT TRAFFICKING  
IN SMALL ARMS AND LIGHT WEAPONS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section related to hemispheric security issues (AG/doc.4265/04 add. 5 corr. 1);

RECALLING its resolutions AG/RES. 1642 (XXIX-O/99), AG/RES. 1744 (XXX-O/00), AG/RES. 1796 (XXXI-O/01), AG/RES. 1797 (XXXI-O/01), AG/RES. 1888 (XXXII-O/02), and AG/RES. 1968 (XXXIII-O/03), "Proliferation of and Illicit Trafficking in Small Arms and Light Weapons"; and the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

BEARING IN MIND paragraph 28 of the Declaration on Security in the Americas, adopted on October 28, 2003, at the Special Conference on Security, held in Mexico City, in which the member states expressed their conviction "that the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and related materials are a threat to hemispheric security and, when these are used by terrorists and criminals, undermines the rule of law, breeds violence and, in some cases, impunity, exacerbates conflicts, and represents a serious threat to human security"; reiterated "the need for effective cooperation to prevent, combat, and eradicate this threat"; and recognized the value of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);

BEARING IN MIND ALSO paragraph 29 of the Declaration on Security in the Americas in which the member states committed to "combat the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials by, among other actions, destroying excess stocks of firearms designated by each State, securing and managing national stockpiles, and regulating firearms brokering, including sanctions for illicit arms brokering for the purpose of avoiding their diversion through illicit channels and their proliferation", and also to "strengthen efforts at bilateral and multilateral cooperation and, in particular, coordination and cooperation among the Consultative Committee of the CIFTA, CICAD, CICTE, and the United Nations"; and

ACKNOWLEDGING:

The valuable contributions made and the fruitful results achieved at the First Conference of the States Party to the CIFTA, held in Bogotá, Colombia, on March 8 and 9, 2004, as well as the adoption of the Declaration of Bogotá on the Functioning and Application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);

The importance of the work and training programs of the Inter-American Drug Abuse Control Commission (CICAD) to develop the capacity of the member states to address the proliferation of and illicit trafficking in small arms and light weapons and the need to continue and intensify multilateral cooperation to address these issues;

The importance of national regulations and legislation to implement the model arms brokering regulations adopted at the thirty-fourth regular session of CICAD, held in Montreal, Canada, from November 17 to 20, 2003;

The successful outcome and noteworthy contributions of the Seminar on Identification, Collection, Stockpile Management, and Destruction of Small Arms and Light Weapons, organized by the General Secretariat and the Inter-American Defense College and hosted by the Government of Nicaragua, and held on May 12 and 13, 2004; and

The creation of the United Nations Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,

RESOLVES:

1. To encourage member states to implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Programme of Action).
2. To request the General Secretariat to present to the Permanent Council the report and its recommendations on the Seminar on Identification, Collection, Stockpile Management, and Destruction of Small Arms and Light Weapons, held in Managua, Nicaragua, on May 12 and 13, 2004, for consideration.
3. To request the Permanent Council to hold, at the level of the Committee on Hemispheric Security, an annual meeting on small arms and light weapons, which would review the status of implementation of national, regional, and global elements of the UN Programme of Action.
4. To encourage member states which have not done so to consider signing or ratifying the United Nations Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.
5. To encourage member states to report to the United Nations on their implementation of national, regional, and global elements of the UN Programme of Action; and to request that they provide a copy of that report to the General Secretariat no later than July 15 of each year.
6. To commend member states which have submitted their reports on the implementation of the UN Programme of Action.
7. To instruct the General Secretariat to convey to the United Nations Department of Disarmament Affairs (UNDDA) the member states' request that the UNDDA conduct an analysis of regional trends in implementation based on national reports on the UN Programme of Action.

8. To encourage member states to participate actively in the United Nations Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (OEWG).

9. To encourage member states to apply, as appropriate, the Inter-American Drug Abuse Control Commission (CICAD) model arms brokering regulations and incorporate them into their domestic legislation.

10. To encourage the states party to renew their commitment to implement the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and the Declaration of Bogotá on the Functioning and Application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), adopted at the First Conference of the States Party to the said Convention.

11. To request that CICAD, in consultation with the Consultative Committee of the CIFTA, continue its training programs in order to contribute to the capability of member states to implement the CIFTA and the UN Programme of Action.

12. To encourage member states to adopt the confidence- and security-building measure proposed in the Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security, in which member states are called upon "to identify excess stocks of small arms and light weapons as well as seized small arms and light weapons, and, in accordance with national laws and international agreements in which they participate, to define programs for the destruction of said weapons and to invite international representatives to observe their destruction."

13. To request the Inter-American Defense Board to prepare, with the assistance of its College, a handbook for member states on best practices for identification, collection, management, security, and destruction of stockpiles of small arms and light weapons, taking into account similar activities in other regional forums, and submit it to the Permanent Council, through the Committee on Hemispheric Security, in the first quarter of 2005.

14. To instruct the appropriate organs, agencies, and entities of the Organization to support, through the provision of technical assistance, training, or other means, the efforts of those states which have undertaken commitments to destroy their excess small arms and light weapons.

15. To instruct the Permanent Council and the General Secretariat to carry out, as the case may be, the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

16. To request the Secretary General to transmit this resolution to the United Nations Secretary-General.

17. To request the Permanent Council and the Secretary General to report on the implementation of this resolution to the General Assembly at its thirty-fifth regular session.

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*Having seen the Report of the Chair of the Style Committee of the Thirty-Fourth Regular Session of the General Assembly, the Permanent Council decided on November 17, 2004, to clarify that the expression "human security" in the third preambular paragraph of this resolution should read "security of individuals."*

AG/RES. 1998 (XXXIV-O/04)

FOLLOW-UP TO THE SPECIAL CONFERENCE ON SECURITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security, including the Special Conference on Security (AG/doc. 4265/04 add. 5 corr. 1);

RECALLING:

That the Second Summit of the Americas (Santiago, 1998), instructed the Organization of American States, through the Committee on Hemispheric Security to “[f]ollow up on and expand topics relating to confidence and security building measures; [a]nalyze the meaning, scope, and implications of international security concepts in the Hemisphere, with a view to developing the most appropriate common approaches by which to manage their various aspects, including disarmament and arms control; and [p]inpoint ways to revitalize and strengthen the institutions of the Inter-American System related to the various aspects of Hemispheric Security,” culminating in a Special Conference on Security, to be held within the framework of the OAS;

That the Third Summit of the Americas (Quebec City, 2001) asked the OAS Committee on Hemispheric Security to review all issues related to common approaches to international security in the Hemisphere, with a view to holding the Special Conference on Security;

The mandates and decisions related to the Special Conference on Security, including those of the General Assembly set out in its resolutions AG/RES. 1566 (XXVIII-O/98), “Confidence- and Security-Building in the Americas”; AG/RES. 1643 (XXIX-O/99), “Work Program of the Committee on Hemispheric Security in Preparation for the Special Conference on Security”; AG/RES. 1795 (XXXI-O/01), “Preparations for the Summit-Mandated Special Conference on Security”; AG/RES. 1908 (XXXII-O/02), “Special Conference on Security,” and AG/RES. 1940 (XXXIII-O/03), “Special Conference on Security,” and in its declaration AG/DEC. 27 (XXXII-O/02), “Declaration of Bridgetown: The Multidimensional Approach to Security,” as well as those of the Twenty-third Meeting of Consultation of Ministers of Foreign Affairs, set out in resolution RC.23/RES. 1/01 rev. 1 corr. 1, “Strengthening Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism”;

That, at the Special Summit of the Americas, held in Monterrey, Mexico, in January 2004, the Heads of State and Government reiterated their commitment to the objectives and purposes contained in the Declaration on Security in the Americas, emanating from the Special Conference on Security;

That the commitments adopted by our Heads of State and Government through the Summit of the Americas process provide a framework for the promotion of cooperation in matters pertaining to hemispheric security;

NOTING WITH SATISFACTION the success of the Special Conference on Security, held on October 27 and 28, 2003, in Mexico City;

RECOGNIZING the importance of the results emanating from the Special Conference on Security, and especially the adoption of the Declaration on Security in the Americas, which asserts that “[o]ur new concept of security in the Hemisphere is multidimensional in scope, includes traditional and new threats, concerns, and other challenges to the security of the states of the Hemisphere, incorporates the priorities of each state, contributes to the consolidation of peace, integral development, and social justice, and is based on democratic values, respect for and promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty”;

RECOGNIZING ALSO the shared values and common approaches identified in the Declaration on Security in the Americas; and

REAFFIRMING the commitment to revitalize and strengthen the organs, institutions, and mechanisms of the inter-American system related to the various aspects of hemispheric security to achieve greater coordination and cooperation among them, within their areas of competence, in order to improve the ability of the states of the Americas to meet the traditional threats, as well as the new threats, concerns, and other challenges to hemispheric security,

RESOLVES:

1. To note with satisfaction the report of the Permanent Council on the Special Conference on Security, as well as its conclusions and recommendations.
2. To endorse the Declaration on Security in the Americas emanating from the Special Conference on Security.
3. To urge all the member states to implement the said Declaration, with a view to consolidating peace, stability, and security in the Hemisphere.
4. To request that the Permanent Council, through the Committee on Hemispheric Security:
  - a. Coordinate cooperation among the organs, agencies, entities, and mechanisms of the Organization of American States related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration;
  - b. Maintain the necessary liaison with other institutions and mechanisms, whether subregional, regional, or international, related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration;

- c. Request, with the periodicity deemed appropriate, reports on measures and action related to implementation of the Declaration from the following inter-American and international bodies:
  - i. OAS organs, agencies, entities, and mechanisms related to the various aspects of security and defense in the Hemisphere; and
  - ii. Other subregional, regional, and international institutions and mechanisms related to the various aspects of security and defense in the Hemisphere;
- d. Conduct an ongoing assessment of the progress achieved in the implementation of the Declaration at the national, subregional, regional, and international levels, taking into account the particular circumstances of each subregion and state, with the participation of the organs, agencies, entities, and mechanisms of the OAS, relevant international and subregional organizations, and, when appropriate, civil society, to be reflected in the annual report of the Permanent Council to the General Assembly;
- e. Prepare, in coordination with the relevant organs, agencies, and entities of the OAS, including among others the Inter-American Drug Abuse Control Commission (CICAD), the Inter-American Committee against Terrorism (CICTE), and the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), coordinated strategies and integrated action plans related to the new threats, concerns, and other challenges to hemispheric security, in accordance with the Declaration on Security in the Americas;
- f. Consider in its work plans and, when appropriate, in developing coordinated strategies and integrated action plans, the recommendations formulated by specialized meetings and conferences of the inter-American system related to the subject of security in the Hemisphere;
- g. Consider in its work related to the new threats, concerns, and other challenges to hemispheric security, the contributions of civil society in this area; and
- h. Continue the process of study and assessment of the Inter-American Treaty of Reciprocal Assistance (Rio Treaty) and the American Treaty on Pacific Settlement (Pact of Bogotá), as well as other hemispheric instruments currently in force on collective security and the peaceful settlement of disputes, bearing in mind security realities in the Hemisphere and the distinct nature of traditional and nontraditional threats to security as well as cooperation mechanisms for addressing them.

5. To instruct the Secretary General to strengthen the capacity of the General Secretariat to better serve the member states and political bodies of the OAS on matters of hemispheric security, including substantive and secretariat support to the Committee on Hemispheric Security, in accordance with the resources allocated in the program-budget of the Organization and other resources.

6. To request that the Permanent Council, through the Committee on Hemispheric Security, conclude its analysis and discussions on the juridical and institutional link between the OAS and the Inter-American Defense Board, in light of the statements contained in the Declaration, in particular its paragraph 49, and to submit its recommendations to the General Assembly at its thirty-fifth regular session.

7. To note with satisfaction the Study and to adopt the recommendations contained in the document "Study and Recommendations on the Modernization and Changes Needed to Provide the OAS with the Technical, Advisory, and Educational Expertise on Defense and Security Issues in order to Support the Ongoing Examination of the Institutions of the Inter-American System related to Hemispheric Security" (CSH/GT/ADS/doc.7/04 rev. 6).

8. To request the General Secretariat to prepare a report on how member states can support efforts, agreements, and mechanisms to prevent conflicts and bring about the peaceful settlement of disputes.

9. To instruct the Permanent Council to carry out the activities mentioned in this resolution, in accordance with the resources allocated in the program-budget of the Organization and other resources.

10. To request the Secretary General to transmit this resolution to the Secretary-General of the United Nations, the Secretary General of the Organization for Security and Co-operation in Europe (OSCE), and the President of the Association of South-East Asian Nations Regional Forum (ARF), as well as to other relevant regional organizations.

11. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution and to present any recommendations deemed appropriate.



AG/RES. 1999 (XXXIV-O/04)

INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF  
AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES,  
AND OTHER RELATED MATERIALS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4265/04 add.5 corr. 1);

REITERATING the urgent need for all member states to take the appropriate measures and to cooperate with one another to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, because of the harmful effects of these activities on the security of each state and of the region as a whole, since they jeopardize the well-being of peoples, their social and economic development, and their right to live in peace;

UNDERSCORING the importance of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) for promoting and facilitating cooperation and the exchange of information and experiences among the states party with a view to preventing, combating, and eradicating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials;

RECOGNIZING the importance of the decisions adopted by the First Conference of the States Party to the CIFTA, held in Bogotá, Colombia, on March 8 and 9, 2004, and in particular the commitments and measures agreed to in the Declaration of Bogotá on the Functioning and Application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (Declaration of Bogotá);

TAKING INTO ACCOUNT that the democratically elected Heads of State and Government of the Americas, gathered together for the Special Summit of the Americas, in Monterrey, Mexico, expressed, in the Declaration of Nuevo León, adopted on January 13, 2004, their commitment to fight all forms of transnational crime, including illicit arms trafficking;

CONSIDERING that the states of the Hemisphere recognized, in the Declaration on Security in the Americas, adopted on October 28, 2003, in Mexico City, Mexico, that the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials are a threat to hemispheric security and, when used by terrorists and criminals, undermine the rule of law, breed violence and, in some cases, impunity, exacerbate conflicts, and represent a serious threat to human security;

CONSIDERING FURTHER that, in the Declaration on Security in the Americas, the states of the Hemisphere agreed to combat the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials by, among other actions, destroying excess stocks of firearms designated by each state, securing and managing national stockpiles, and regulating firearms brokering, including sanctions for illicit arms brokering for the purpose of avoiding their diversion through illicit channels and their proliferation; likewise, they decided to strengthen efforts at bilateral and multilateral cooperation and, in particular, coordination and cooperation among the Consultative Committee of the CIFTA, the Inter-American Drug Abuse Control Commission (CICAD), the Inter-American Committee against Terrorism (CICTE), and the United Nations;

BEARING IN MIND the United Nations Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the hemispheric contribution to its implementation, and the importance of taking concrete measures in the Hemisphere toward implementation of the national, regional, and global components of that Programme of Action;

RECALLING resolutions AG/RES. 1 (XXIV-E/97), AG/RES. 1621 (XXIX-O/99), AG/RES. 1750 (XXX-O/00), AG/RES. 1800 (XXXI-O/01), AG/RES. 1874 (XXXII-O/02), and AG/RES. 1972 (XXXIII-O/03), regarding the CIFTA;

CONSIDERING the progress made over the past year by the Consultative Committee of the CIFTA, including progress at its meeting of May 10, 2004, at the headquarters of the Organization;

RECOGNIZING the importance of the model arms brokering regulations, adopted by CICAD at its thirty-fourth regular session, held from November 17 to 20, 2003, in Montreal, Canada;

HAVING SEEN the report of the Secretary General on the status of signatures and ratifications of the CIFTA (CP/doc.3880/04), and taking note of the fact that this Convention has been signed by 33 member states and ratified by 22 of them, which means that three more states have ratified it in the past year; and

REAFFIRMING the importance of the CIFTA entering into force for all member states as soon as possible in order to facilitate and guarantee the achievement of its purposes throughout the Hemisphere,

RESOLVES:

1. To urge member states that have not already done so to give prompt consideration to signing and ratifying, or ratifying, as appropriate, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), and to adopting the necessary measures for its effective implementation.

2. To note with satisfaction and give its full support to the important commitments and measures agreed to in the Declaration of Bogotá on the Functioning and Application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) (Declaration of Bogotá), adopted by the First Conference of the States Party to the CIFTA, held on March 8 and 9, 2004, in Bogotá, Colombia.

3. To note with satisfaction the Work Program of the Consultative Committee of the CIFTA, adopted by said Committee at its fifth regular meeting, and to express its support for the work of the Secretariat pro tempore.

4. To instruct the Permanent Council to consider the recommendation contained in paragraph 6.b of the Declaration of Bogotá on the adoption of a methodology for the development of model legislation on the subjects mentioned in paragraph 6.a of the Declaration, based on a proposal that would be drafted by the Consultative Committee, with support from the General Secretariat through the Secretariat for Legal Affairs and the Secretariat of the Inter-American Drug Abuse Control Commission (CICAD), and presented through its Secretariat pro tempore.

5. To instruct the Permanent Council to take the necessary decisions, once the methodology referred to in the previous paragraph has been considered and approved, to allow for the formation and convocation of a single group of experts for CIFTA-CICAD in order to make progress toward the preparation of model legislation on those areas covered by the CIFTA that are not encompassed in the CICAD Model Regulations, bearing in mind paragraph 6.a of the Declaration of Bogotá.

6. To welcome the decision taken by the First Conference of the States Party to the CIFTA, in paragraph 16 of the Declaration of Bogotá, to direct the Consultative Committee, through the Secretariat pro tempore, to report periodically to the Committee on Hemispheric Security of the Permanent Council on developments in implementing that Declaration so that the latter Committee may take them into account when preparing coordinated strategies and comprehensive plans of action to face the new threats, concerns, and other challenges to hemispheric security, referred to, *inter alia*, in the Declaration on Security in the Americas.

7. To support the holding, in the framework of the Consultative Committee of the CIFTA, of initial meetings of national authorities directly responsible for granting the authorizations or licenses stipulated in Article IX of the CIFTA and in the Model Regulations of CICAD, and of the national single points of contact and central authorities for mutual legal assistance, as established in Articles XIV and XVII of the Convention, bearing in mind paragraphs 8 and 24 of the Declaration of Bogotá.

8. To request states and international and regional organizations interested in the subject to consider the possibility of providing assistance, including technical and financial assistance, to support the implementation of measures to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.

9. To stipulate that the meetings of the Consultative Committee of the CIFTA, including those held for the purposes envisaged in operative paragraph 7 of the present resolution, as well as those of the single group of experts referred to in operative paragraph 5, be held within the resources allocated in the program-budget of the Organization and other resources; and to request the General Secretariat to strengthen the administrative and technical secretariat support required for these purposes.

10. To request the Secretary General to present a report to the General Assembly at its thirty-fifth regular session on the status of signatures and ratifications of the Convention.

11. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

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*Having seen the Report of the Chair of the Style Committee of the Thirty-Fourth Regular Session of the General Assembly, the Permanent Council decided on November 17, 2004, to clarify that the expression "human security" in the sixth preambular paragraph of this resolution should read "security of individuals."*

AG/RES. 2000 (XXXIV-O/04)

THE AMERICAS AS A BIOLOGICAL- AND CHEMICAL-WEAPONS-FREE REGION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section related to hemispheric security issues (AG/doc.4265/04 add. 5 corr. 1);

AWARE of the determination of the international community to eradicate the development, production, use, stockpiling, and transfer of biological and chemical weapons;

BEARING IN MIND the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, in October 2003, in which the states of the Hemisphere declared their objective "to make the Americas a region free of biological and chemical weapons," and in particular its paragraphs 4.m, 4.y, 12, 13, and 14;

RECALLING its resolution AG/RES. 1236 (XXIII-O/93), "Cooperation for Security and Development in the Hemisphere: Regional Contributions to Global Security," which recognized the efforts of the member states to contribute to regional and global security and which commended them for their adherence to the principles of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention);

RECALLING ALSO its resolutions AG/RES. 1624 (XXIX-O/99), "Inter-American Support for the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction"; and AG/RES. 1966 (XXXIII-O/03), "The Americas as a Biological- and Chemical-Weapons-Free Region";

NOTING that 26 member states are states parties to the Chemical Weapons Convention and 31 member states are states parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention);

UNDERSCORING the importance of universal participation by all member states in the Biological Weapons Convention and the Chemical Weapons Convention and their full implementation, in accordance with the domestic legal framework of each member state;

MINDFUL of the fundamental importance of full implementation and strict observance by member states of arms limitation, disarmament, and nonproliferation obligations and commitments; and

WELCOMING the activities of the Organisation for the Prohibition of Chemical Weapons (OPCW), among them the establishment of a working group, that encourage universal accession to

and foster full implementation of the Chemical Weapons Convention and of the practical program of work undertaken by the states parties to the Biological Weapons Convention aimed at strengthening the Convention and stemming the biological weapons threat,

RESOLVES:

1. To concretely fulfill the shared commitment of member states to make the Americas a region free of biological and chemical weapons.

2. To reaffirm member states' commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction, and to the principles and norms of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention); the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention); and the 1925 Geneva Protocol to the 1907 Hague Convention.

3. To urge those member states which have not yet done so to consider acceding as soon as possible to the Chemical Weapons Convention and the Biological Weapons Convention, to consider subscribing to the International Code of Conduct against Ballistic Missile Proliferation (ICOC), and to promote the universalization of these conventions and arrangements.

4. To urge member states to adopt, at the national level, legal and administrative measures for implementation of the Chemical Weapons Convention and the Biological Weapons Convention.

5. To welcome the specific steps taken by a number of member states to accede to and implement said Conventions.

6. To urge member states' participation in upcoming regional meetings of the Organisation for the Prohibition of Chemical Weapons (OPCW), which encourage the universalization of the Chemical Weapons Convention, legislative measures to implement it, and the establishment of National Authorities to the OPCW.

7. To urge member states which have not yet done so to establish National Authorities responsible for liaising with the OPCW, in accordance with the Chemical Weapons Convention.

8. To welcome efforts of the states parties to the Biological Weapons Convention to promote measures for national implementation and for strengthening of the Convention in order to stem the biological weapons threat.

9. To carry the message of the importance of the implementation of, and compliance with, relevant international obligations outside the region.

10. To request the Permanent Council to discuss and review, in the framework of the Committee on Hemispheric Security, the efforts of member states to fulfill their commitment to a

region free of biological and chemical weapons, in accordance with paragraph 13 of the Declaration on Security in the Americas.

11. To urge member states to implement the recommendations contained in the Declaration on Security in the Americas to prevent and eliminate the proliferation of weapons of mass destruction.

12. To request the Secretary General to transmit this resolution to the Secretary-General of the United Nations and to the Director-General of the OPCW.

13. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out within the resources allocated in the program-budget of the Organization and other resources.

AG/RES. 2001 (XXXIV-O/04)

LIMITATION OF MILITARY SPENDING

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1);

BEARING IN MIND:

That among the essential purposes of the Organization of American States set forth in its Charter are to strengthen peace and security in the Hemisphere; guarantee the sovereignty, independence, and territorial integrity of the states; eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere; and achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states;

That, in the Declaration of Quebec City, adopted at the Third Summit of the Americas, the Heads of State and Government decided: "We will strive to limit military expenditures while maintaining capabilities commensurate with our legitimate security needs and will promote greater transparency in the acquisition of arms";

That, in that same Declaration, the Heads of State and Government undertook to develop effective, practical, and compassionate solutions for the problems that confront our societies; and

That, in the Declaration of Santiago, Chile, the Ministers of Defense of the Americas referred to the need to promote and develop transparency in defense and public security policies, considering that they contribute to stability and security among states in the region;

TAKING INTO ACCOUNT that in paragraph 15 of the Declaration on Security in the Americas, adopted in Mexico City, on October 28, 2003, the states of the Hemisphere reaffirmed their commitment to continue to strive to limit military spending while maintaining capabilities commensurate with their legitimate defense and security needs and fostering transparency in arms acquisitions and declared that continued implementation of confidence- and security-building measures is conducive to the creation of a favorable environment for this purpose;

CONSIDERING:

That confidence- and security-building measures contribute to enhancing security, safeguarding peace, and consolidating democracy in the Americas, as well as to building transparency, dialogue, and trust in the Hemisphere;



That the study “Common Standardized Methodology for the Measurement of Defense Expenditures,” developed by the Economic Commission for Latin America and the Caribbean (ECLAC) at the request of the Governments of Argentina and Chile, is a step forward in the area of confidence- and security-building measures; and

That the United Nations Standardized Reporting of Military Expenditures is a contribution to transparency and confidence-building;

COMMENDING the contributions to disarmament and arms limitation and control in the region made by the states of the Hemisphere, especially in the 1974 Declaration of Ayacucho; the 1987 Esquipulas Agreements; the 1995 Framework Treaty on Democratic Security in Central America; the Strategic Arms Reduction Treaties (START I and II); the September 1991 Mendoza Commitment; the Quadripartite Agreement on safeguards signed by Brazil, Argentina, the International Atomic Energy Agency (IAEA), and the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, in December 1991; the 1991 Declaration of Guadalajara and 2001 Declaration of Lima of the Ibero-American Summits; the 1999 Political Declaration of MERCOSUR, Bolivia, and Chile as a Zone of Peace (Declaration of Ushuaia); the study “Common Standardized Methodology for the Measurement of Defense Expenditures,” developed by ECLAC at the request of the Governments of Argentina and Chile; the 2002 Lima Commitment: Andean Charter for Peace and Security and the Limitation and Control of the Expenditure on Foreign Defense; the 2003 Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security; and the Declaration on Security in the Americas, adopted in Mexico City, on October 28, 2003, which are exemplary initiatives of historic leadership; and

RECALLING its resolutions AG/RES. 1887 (XXXII-O/02) and AG/RES. 1963 (XXXIII-O/03), “Limitation of Military Spending,” and AG/RES. 1694 (XXIX-O/99), “Dividends for Peace,”

RESOLVES:

1. To continue promoting in the Hemisphere an environment conducive to arms control, the limitation of conventional weapons, and the nonproliferation of weapons of mass destruction, making it possible to devote a larger amount of resources to the economic and social development of the member states, which is an essential purpose set forth in the Charter of the Organization of American States, bearing in mind the fulfillment of international commitments and the legitimate security and defense needs of the member states.

2. To urge member states to continue to implement confidence- and security-building measures that contribute to transparency so as to attain the goals indicated in the preceding paragraph, which represent a concrete step forward in strengthening peace and security in the Hemisphere.

3. To urge member states to participate in the United Nations Standardized International Reporting of Military Expenditures, in accordance with the pertinent United Nations General Assembly resolution on this matter.

4. To request member states to provide to the Permanent Council their views on the topic of limitation of military expenditures and the promotion of greater transparency in the acquisition of arms, bearing in mind among other elements the legitimate defense and security needs of the states.

5. To instruct the Permanent Council to continue considering, in the context of the work of the Committee on Hemispheric Security and in compliance with the mandate contained in the Declaration adopted at the Third Summit of the Americas (Quebec City, 2001), the topic of limitation of military expenditures and the promotion of greater transparency in the acquisition of arms, bearing in mind, among other elements, the legitimate security and defense needs of states and unilateral, bilateral, subregional, and hemispheric perspectives of the topic, and to organize, during the first half of 2005, a meeting of the Committee with the participation of experts on the subject and representatives of relevant subregional and international bodies.

6. To instruct the General Secretariat to support, within the resources allocated in the program-budget of the Organization and other resources, the activities of the Permanent Council that may be required for implementation of this resolution.

7. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2002 (XXXIV-O/04)

SUPPORT FOR ACTION AGAINST ANTIPERSONNEL MINES IN ECUADOR AND PERU

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Permanent Council, in particular, the sections on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1); and

The Report of the General Secretariat on the Implementation of Resolutions AG/RES. 1936 (XXXIII-O/03), "The Americas as an Antipersonnel-Land-Mine-Free Zone"; AG/RES. 1934 (XXXIII-O/03), "Support for the Program of Integral Action against Antipersonnel Mines in Central America"; and AG/RES. 1935 (XXXIII-O/03), "Support for Action against Mines in Ecuador and Peru" (CP/doc.3864/04);

RECALLING:

Its resolutions AG/RES. 1411 (XXVI-O/96), AG/RES. 1496 (XXVII-O/97), AG/RES. 1569 (XXVIII-O/98), AG/RES. 1745 (XXX-O/00), AG/RES. 1792 (XXXI-O/01), AG/RES. 1875 (XXXII-O/02), and AG/RES. 1935 (XXXIII-O/03); and

Its resolution AG/RES. 1644 (XXIX-O/99), operative paragraph 12 of which urged member states and permanent observers to provide assistance to the national mine-clearing programs being carried out by Ecuador and Peru in their territories;

AWARE that the presence of land mines in border areas and in the vicinity of power grids constitutes a serious threat to civilian populations and stands in the way of economic development in rural and urban areas; and that their elimination constitutes an obligation and prerequisite for the development and integration of peoples, especially in border areas, and helps to consolidate a common strategy for combating poverty;

RECOGNIZING:

The firm resolve of Ecuador and Peru to honor the commitments undertaken pursuant to the Ottawa Convention on the Prohibition of the Use, Storage, Production and Transfer of Antipersonnel Mines and on their Destruction;

The complete elimination of antipersonnel mine stockpiles in Ecuador and Peru through assistance under the "Managua Challenge" Fund;

The substantial progress made by Ecuador and Peru with respect to mine-clearing, destruction of stockpiles, and measures to enhance transparency, and the importance of these activities as confidence- and security-building measures;

The demining of the Zarumilla Canal located on the border between Ecuador and Peru, as evinced by the signature of the minutes of the proceedings in Tumbes, Peru, in June 2002;

The carrying out, in March 2004, of humanitarian mine-clearing tasks in the common border area comprising the Department of Tumbes in Peru and the El Oro Province in Ecuador, marking yet another step in the process of implementing and following through on the Brasilia Agreements of October 26, 1998;

The valuable cooperation being provided by OAS member states and permanent observers and by other countries to national efforts in Ecuador and Peru to forge ahead with their mine-clearing programs;

The important work of coordination, promotion, and fundraising carried out by the General Secretariat through the Unit for the Promotion of Democracy's Program for Comprehensive Action against Antipersonnel Mines (AICMA), which is devoted to humanitarian mine-clearing, the physical and psychological rehabilitation of victims and their families, prevention education, and the social and economic reclamation of demined areas; and

The efficient technical advice and support of the Inter-American Defense Board for the mine-clearing activities in Ecuador and Peru supported by the AICMA program;

CONSIDERING the need to continue to support the efforts of the Governments of Ecuador and Peru to expand the scope of international cooperation to mine-clearing in other areas of the two countries as may be required; and

TAKING NOTE of the Declaration of Lima: "Support for the Americas as an Antipersonnel-Land-Mine-Free Zone," agreed upon in Lima, Peru, on August 15, 2003, during the Americas Regional Mine Action Seminar, "Toward an antipersonnel-land-mine-free Hemisphere,"

RESOLVES:

1. To recognize the work accomplished by the Governments of Ecuador and Peru in destroying their stockpiles and in mine-clearing in common border areas and in other areas of their respective territories.

2. To recognize also the major progress made by the Governments of Ecuador and Peru in promoting education on the risks posed by antipersonnel mines, which has resulted in a considerable reduction in the number of accidents caused by these devices.

3. To note with satisfaction the carrying out, in March 2004, of humanitarian mine-clearing tasks on the border between the Department of Tumbes in Peru and the El Oro Province in Ecuador.

4. To encourage the Governments of Ecuador and Peru to continue their intensive cooperation in the area of mine action as an innovative form of confidence- and security-building.

5. To urge member states, permanent observers, and the international community in general to continue providing technical and financial assistance to the Governments of Ecuador and Peru for the mine-clearing and comprehensive action programs against antipersonnel mines that they may carry out in other common border areas and within their respective territories.

6. To instruct the General Secretariat to continue to cooperate fully, through the Program for Comprehensive Action against Antipersonnel Mines (AICMA) of the Unit for the Promotion of Democracy (UPD), with programs to support comprehensive action against antipersonnel mines in Ecuador and Peru, including work on humanitarian mine-clearing programs, the physical and psychological rehabilitation of victims and their families, prevention education, and the social and economic reclamation of demined areas.

7. To instruct the General Secretariat to continue to work, through the UPD, on identifying and raising voluntary contributions from member states, permanent observers, and other states, as well as other organizations, to the Specific Fund intended to continue to finance mine-clearing and comprehensive action programs against antipersonnel mines carried out by Ecuador and Peru in their respective territories.

8. To instruct the Permanent Council and the General Secretariat to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2003 (XXXIV-O/04)

THE AMERICAS AS AN ANTIPERSONNEL-LAND-MINE-FREE ZONE<sup>L/</sup>

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1); and

The report of the General Secretariat on the implementation of resolutions AG/RES. 1934 (XXXIII-O/03), "Support for the Program of Integral Action against Antipersonnel Mines in Central America," and AG/RES. 1935 (XXXIII-O/03), "Support for Action against Mines in Peru and Ecuador" (CP/doc.3864/04);

RECALLING its resolutions AG/RES. 1411 (XXVI-O/96), AG/RES. 1496 (XXVII-O/97), AG/RES. 1569 (XXVIII-O/98), AG/RES. 1644 (XXIX-O/99), AG/RES. 1794 (XXXI-O/01), and AG/RES. 1889 (XXXII-O/02); "The Western Hemisphere an Antipersonnel-Land-Mine-Free Zone," AG/RES. 1936 (XXXIII-O/03), "The Americas as an Antipersonnel-Land-Mine-Free Zone"; and AG/RES. 1744 (XXX-O/00), "Cooperation for Security in the Hemisphere," in which it reaffirmed the goals of the global elimination of antipersonnel land mines and the conversion of the Americas into an antipersonnel-land-mine-free zone;

RECALLING ALSO the Declaration on Security in the Americas, adopted at the Special Conference on Security, in Mexico City, on October 28, 2003, which states: "We reaffirm our support for establishing the Hemisphere as an anti-personnel-landmine-free zone. We welcome the cooperative approach and efforts of all states as well as those of the Organization of American States Mine Action Team to support humanitarian de-mining, mine risk education, landmine victim assistance and rehabilitation, and socio-economic recovery. We highlight the importance of the Ottawa Convention and its universalization and support States Parties to this Convention in their efforts to implement it to rid their territories of anti-personnel landmines";

REITERATING its profound concern over the presence in the Americas of thousands of antipersonnel land mines and other undetonated explosive devices;

BEARING IN MIND the serious threat that mines and other unexploded ordinance pose to the safety, health, and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping, and rehabilitation programs and operations;

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1. The United States requested that its reservation be placed on record. Its statement is attached.

RECOGNIZING WITH GREAT SATISFACTION:

The complete elimination of antipersonnel landmine stockpiles in Argentina, Chile, Suriname, and Venezuela since the last session of the General Assembly; and

The status of Central America as an antipersonnel mine stockpile-free region;

RECOGNIZING WITH SATISFACTION:

The efforts being made by all governments to implement comprehensive mine-action programs, including activities aimed at mine-risk education, stockpile destruction, mine clearance, the physical and psychological rehabilitation of victims, and the socioeconomic reclamation of demined areas in their countries;

The progress made by the Government of Honduras in concluding the final phase of its National Mine Action Plan in 2004, as well as the important efforts by the Governments of Guatemala and Nicaragua in promptly completing their mine clearance programs, in order to join El Salvador and Costa Rica as formerly mine-affected states that have completed their mine-action programs, and thereby to transform Central America into the first mine-free subregion in the world;

The close collaboration between the Governments of Peru and Ecuador in mine clearance activities in their border areas, and, in particular, the completion of the humanitarian demining program in the Tumbes-El Oro border region, in March 2004;

The incorporation of Colombia into the Program for Comprehensive Action against Antipersonnel Mines (AICMA) of the Unit for the Promotion of Democracy, the establishment of an AICMA program coordination office in Colombia in November 2003, and the goal of the Government of Colombia to complete destruction of its stockpiles by the end of 2004;

The ratification by Guyana of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention), which has thus become the 32nd sovereign state of the region for which the Convention is in force;

That the Amended Mines Protocol to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects is in force for 14 sovereign states of the region;

The important coordination work of the General Secretariat, through AICMA, together with the technical assistance of the Inter-American Defense Board; and

The valuable contribution by member states and permanent observers to, and the support of the Committee on Hemispheric Security for, the goal of making the Americas an antipersonnel-landmine-free zone; and

TAKING NOTE OF:

The upcoming Nairobi Summit on a Mine-Free World, to be held from November 29 to December 3, 2004; and

The contributions made by participants from governmental and nongovernmental sectors of the member states as well as from regional and international organizations in the Regional Mine Action Seminar, held in August 2003, in Lima, Peru, as well as the plans for the next regional seminar, which will take place in Quito, Ecuador, in August 2004,

RESOLVES:

1. To reaffirm the goals of the global elimination of antipersonnel land mines and the conversion of the Americas into an antipersonnel-land-mine-free zone.
2. To urge member states to continue considering mine action as a national and regional priority and to foster the necessary political momentum and contribution of resources to maintain the leadership that the Americas have acquired globally to further this fundamental humanitarian task.
3. To urge member states which have not yet done so to ratify or consider acceding to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) as soon as possible to ensure its full and effective implementation.
4. To reiterate the recommendation to the Permanent Council to continue considering action against antipersonnel mines in Ecuador and Peru, with a view to progressing toward the objective of making the Americas an antipersonnel-land-mine-free zone.
5. To encourage all member states to participate at the highest level in the Nairobi Summit on a Mine-Free World.
6. To request the Secretary General to represent the Organization at the said Nairobi Summit.
7. To once again urge member states which have not yet done so to become party as soon as possible to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the five protocols thereto; and to request member states to inform the Secretary General when they have done so.
8. To encourage member states to develop statements of remaining goals and to collaborate with the OAS Mine Action Team, through its mine clearance, stockpile destruction, mine risk education, and victim assistance programs, in order to advance mine action in the region.
9. To urge member states and permanent observers to contribute to the financing of the next regional meetings to follow up on mine action in the Americas, similar to those held in Peru in 2003, and the upcoming one in Ecuador, in August 2004.



10. To further encourage member states and permanent observers to support the Program for Comprehensive Action against Antipersonnel Landmines (AICMA) and to provide resources to mine action programs in the region in order to achieve the goal of the Americas as an antipersonnel-land-mine-free zone.

11. To request the Secretary General to consider the possibility of developing new mine action programs in the Americas to assist affected member states, upon request, in fulfilling their commitment to convert the Americas into an antipersonnel-land-mine-free zone.

12. To firmly condemn, in accordance with the principles and norms of international humanitarian law, the use, stockpiling, production, and transfer of antipersonnel mines by non-state actors, acts which put at grave risk the population of the affected countries, and to reaffirm that progress toward a mine-free world will be facilitated if non-state actors observe the international norm established by the Ottawa Convention.

13. To reiterate the importance of participation by all member states in the OAS Register of Antipersonnel Land Mines by April 15 of each year, in keeping with resolution AG/RES. 1496 (XXVII-O/97), and to commend member states which have regularly submitted their reports to that end.

14. To encourage member states that are party to the Ottawa Convention to provide to the Secretary General as part of their submissions to the OAS Register of Antipersonnel Land Mines, in keeping with resolution AG/RES. 1496 (XXVII-O/97), a copy of their Ottawa Convention Article 7 transparency reports; and to further encourage member states which are not yet party to the Ottawa Convention to provide similar information with their annual submissions.

15. To instruct the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

ANNEX

STATEMENT BY THE DELEGATION OF THE UNITED STATES

The United States is committed to and shares common cause with all nations that wish to end the harmful effects generated by the use of persistent landmines. The United States recognizes and supports the positive contributions made to humanitarian mine action by the Organization of American States (OAS).

The United States recently announced a new landmine policy that breaks with formulations of the past and that will help reduce humanitarian risk and save the lives of civilians and U.S. military personnel. The key elements of this policy are: a) a firm and fixed commitment to use no persistent (i.e., non-self-destructing or non-self-deactivating) landmine of any type after 2010; b) a firm commitment to use no non-detectable mine of any type by the end of this year; c) a 50% increase in U.S. Department of State humanitarian mine action funding to \$70 million per year, and d) the development of future landmines that incorporate enhanced self-destructing/self-deactivating and control mechanisms. The new policy also includes provisions to encourage international agreements to restrict the transfer of all persistent mines. The United States has not acceded to the "Ottawa Convention" and does not intend to do so.

The call to create a "landmine-free" zone commits Member States and the OAS to an unnecessary action regardless of whether or not that mine generates any adverse impacts or poses a threat to civilians. Such an approach ignores the emerging global practice on the part of mine action practitioners to plan and manage mine action programs to achieve a "mine-impact free" or "mine safe" status. The "landmine free" approach also runs counter to funding trends on the part of most donor nations. The resources that would be diverted to find every last landmine are needed to address more practical and pressing problems. Moreover, the call to create a "landmine-free zone" does not accurately reflect past OAS demining accomplishments or the likely results of OAS activities. Even after the OAS successfully concludes its demining efforts some landmines still linger in these States. The OAS is aware of this fact, as it certifies a state as "mine-impact-free" when those landmines that pose an immediate humanitarian threat rather than a remote risk have been cleared.

We are also discouraged that the importance of the civilian protections provided by the Amended Mines Protocol of the Convention on Conventional Weapons was not recognized in operative paragraph 12.

For the reasons provided above, the United States cannot in good faith join in the consensus on an OAS resolution that promotes an "anti-personnel landmine free hemisphere." The position of the United States on this resolution in no way dilutes our commitment to humanitarian mine action or to cooperating with all nations in the hemisphere to take practical steps to end the harmful legacy of landmines. Policy differences should not stand in the way of meaningful collaboration.

AG/RES. 2004 (XXXIV-O/04)

ADOPTION OF A COMPREHENSIVE INTER-AMERICAN STRATEGY  
TO COMBAT THREATS TO CYBERSECURITY: A MULTIDIMENSIONAL AND  
MULTIDISCIPLINARY APPROACH TO CREATING A CULTURE OF CYBERSECURITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4265 add. 5 corr. 1), and specifically the recommendations on a Comprehensive Inter-American Strategy to Combat Threats to Cybersecurity;

RECALLING its resolution AG/RES. 1939 (XXXIII-O/03), "Development of an Inter-American Strategy to Combat Threats to Cybersecurity";

BEARING IN MIND that the Inter-American Committee against Terrorism (CICTE), at its fourth regular session, held in Montevideo, Uruguay, from January 28 to 30, 2004, adopted the Declaration of Montevideo (CICTE/DEC. 1/04 rev. 3), in which it declared its commitment to identifying and fighting emerging terrorist threats, regardless of their origins or motivation, such as threats to cybersecurity;

NOTING WITH SATISFACTION:

That the OAS Conference on Cybersecurity, held in Buenos Aires, Argentina, on July 28 and 29, 2003, in compliance with the above-mentioned resolution, demonstrated the gravity of cybersecurity threats to the security of critical information systems, critical information structures, and economies throughout the world, and underscored that effective action to deal with this issue must involve intersectoral cooperation and coordination among a broad range of governmental and nongovernmental entities;

That CICTE, at its fourth regular session, considered the document "Framework for Establishing an Inter-American CSIRT Watch and Warning Network" (CICTE/INF.4/04) and decided to hold a meeting of government cybersecurity experts, in March 2004 in Ottawa, Canada, to prepare its recommendations for the draft Comprehensive Inter-American Strategy to Combat Threats to Cybersecurity, in compliance with the above-mentioned resolution; and

The recommendations formulated by CICTE (CICTE/REGVAC/doc.2/04), CITEL (CPP.I-TEL/doc.427/04 rev. 2), and the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA) and its Group of Governmental Experts on Cyber-crime (CIBER-III/doc.4/03);

WELCOMING the Comprehensive Inter-American Cybersecurity Strategy: A Multidimensional and Multidisciplinary Approach to Creating a Culture of Cybersecurity (CP/doc.3901/04), recommended to this General Assembly by the Permanent Council as the joint effort of member states and their experts with the technical expertise of CICTE, CITEL, and the REMJA Group of Governmental Experts on Cyber-crime;

RECOGNIZING:

The urgency of increasing the security of information networks and systems commonly referred to as the Internet, in order to address vulnerabilities and protect users, national security, and critical infrastructures from the serious and damaging threats posed by those who would carry out attacks in cyberspace for malicious or criminal purposes;

The need to create an inter-American alert, watch, and warning network to rapidly disseminate cybersecurity information and to respond to and recover from crises, incidents, and threats to computer security; and

The need to develop trustworthy and reliable Internet information networks and systems, thereby enhancing user confidence in such networks and systems;

REITERATING the importance of developing a comprehensive strategy for protecting information infrastructures that adopts an integral, international, and multidisciplinary approach; and

CONSIDERING:

United Nations General Assembly resolutions 55/63 and 56/121 on combating the criminal misuse of information technologies; 57/239 on creation of a global culture of cybersecurity; and 58/199 on the creation of a global culture of cybersecurity and the protection of critical information systems; and

That at its XII Meeting, the Permanent Executive Committee of the Inter-American Telecommunication Commission (COM/CITEL) pointed out that “building a culture of cyber security to protect telecommunication infrastructures by raising awareness among all participants in the Americas in information systems and networks concerning the risk to those systems and by developing necessary measures to address security risks to respond quickly to cyber incidents” is within CITEL’s mandates,

RESOLVES:

1. To adopt the Comprehensive Inter-American Cybersecurity Strategy: A Multidimensional and Multidisciplinary Approach to Creating a Culture of Cybersecurity, attached hereto as Appendix A.
2. To urge member states to implement the said Strategy.
3. To urge member states to establish or identify national "alert, watch, and warning" groups, also known as "Computer Security Incident Response Teams" (CSIRTs).

4. To place renewed emphasis on the importance of achieving secure Internet information systems throughout the Hemisphere.

5. To request that the Permanent Council, through the Committee on Hemispheric Security, continue to address this issue and to facilitate the coordination efforts to implement the Strategy, in particular the efforts of government experts, the Inter-American Committee against Terrorism (CICTE), the Inter-American Telecommunication Commission (CITEL), the Group of Governmental Experts on Cyber-crime of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), and other appropriate organs of the OAS.

6. To urge member states and the organs, agencies, and entities of the OAS to coordinate their efforts to enhance cybersecurity.

7. To request the secretariats of CICTE and CITEL, and the Group of Governmental Experts on Cyber-crime of REMJA to assist member states, when so requested, in the implementation of the respective portions of the Strategy, and to submit a joint report to the Permanent Council, through the Committee on Hemispheric Security, on their compliance with this resolution, prior to the thirty-fifth regular session of the General Assembly.

8. To support the holding of a second meeting of government cybersecurity practitioners, to be convened by CICTE for appropriate follow-up on the recommendations on the establishment of the Inter-American Alert, Watch, and Warning Network, which are contained in the document CICTE/REGVAC/doc.2/04 and which form part of the Strategy.

9. To stipulate that the above-mentioned meeting of government cybersecurity practitioners be held within the resources allocated in the program-budget of the Organization and other resources, and to request the General Secretariat and the CICTE Secretariat to provide the necessary administrative and technical support for this meeting.

10. To urge member states to implement, as appropriate, the recommendations of the Initial Meeting of the Group of Governmental Experts on Cyber-crime of REMJA (document REMJA-V/doc.5/04) and the recommendations regarding cyber-crime of the Fifth Meeting of REMJA (document REMJA-V/doc.7/04 rev. 4) as a means of creating a framework for enacting laws that protect information systems, prevent the use of computers to facilitate illegal activity, and punish cyber-crime.

11. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

APPENDIX A

A COMPREHENSIVE INTER-AMERICAN CYBERSECURITY STRATEGY:  
A MULTIDIMENSIONAL AND MULTIDISCIPLINARY APPROACH  
TO CREATING A CULTURE OF CYBERSECURITY

INTRODUCTION

The Internet and related networks and technologies have become indispensable tools for OAS member states. The Internet has spurred tremendous growth in the global economy and prompted gains in efficiency, productivity, and creativity across the Hemisphere. Individuals, businesses, and governments increasingly use the information networks that comprise the Internet to, *inter alia*, conduct business; manage personal, industrial, and governmental activities; transmit communications; and perform research. Moreover, at the Third Summit of the Americas, held in Quebec City, Canada, in 2001, our leaders committed to further increasing connectivity in the Americas.

Unfortunately, the Internet has also spawned new threats that endanger the entire global community of Internet users. Information that transits the Internet can be misappropriated and manipulated to invade users' privacy and defraud businesses. The destruction of data that reside on computers linked by the Internet can stymie government functions and disrupt public telecommunications service and other critical infrastructures. Such threats to our citizens, economies, and essential services, such as electricity networks, airports, or water supplies, cannot be addressed by a single government or combated using a solitary discipline or practice.

As recognized by the General Assembly in resolution AG/RES. 1939 (XXXIII-O/03), "Development of an Inter-American Strategy to Combat Threats to Cybersecurity," a comprehensive strategy for protecting information infrastructures that adopts an integral, international, and multidisciplinary approach is needed. The OAS is committed to the development and implementation of such a cybersecurity strategy and, in furtherance of this, held a Conference on Cybersecurity (Buenos Aires, Argentina, July 28-29, 2003) that demonstrated the gravity of cybersecurity threats to the security of critical information systems, critical infrastructures, and economies throughout the world, and underscored that effective action to deal with this issue must involve intersectoral cooperation and coordination among a broad range of governmental and nongovernmental entities.<sup>1/</sup>

Similarly, at the Special Conference on Security (Mexico City, Mexico, October 28-29, 2003) the member states considered the cybersecurity issue and agreed as follows:

*"We will develop a culture of cybersecurity in the Americas by taking effective preventive measures to anticipate, address, and respond to cyberattacks, whatever their origin, fighting against cyber threats and cybercrime, criminalizing attacks against cyberspace, protecting critical infrastructure and securing networked systems. We reaffirm our commitment to develop and implement an integral OAS cybersecurity strategy, utilizing the contributions and recommendations developed jointly by member state experts and the REMJA Governmental Experts Group on Cybercrime, CICTE, the*

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1. Report on the Conference on Cybersecurity, document OEA/Ser.L/X.5, CICTE/CS/doc.2/03.

Inter-American Telecommunication Commission (CITEL), and other appropriate organs, taking into consideration the existing work developed by member states, coordinated with the Committee on Hemispheric Security."<sup>2/</sup>

The states of the Hemisphere meeting at the Fourth Regular Session of the Inter-American Committee against Terrorism (CICTE) (Montevideo, Uruguay, January 28-30, 2004), once again declared their commitment to fight terrorism, including threats to cybersecurity, which they identified as one of the emerging terrorist threats<sup>3/</sup> and considered the document "Framework for Establishing an Inter-American CSIRT Watch and Warning Network."<sup>4/</sup> On that occasion, CICTE also decided to hold in Ottawa, Canada, in March 2004, a meeting of government experts or practitioners to consider that framework document and to produce recommendations as CICTE's contribution to the Comprehensive Inter-American Cybersecurity Strategy.

The Comprehensive Inter-American Cybersecurity Strategy pools the efforts and expertise of CICTE, CITEL, and REMJA. The Strategy recognizes the necessity for all participants in networks and information systems to become aware of their roles and responsibilities in regard to security in order to build a culture of cybersecurity.

The Strategy further recognizes that an effective framework for protecting the networks and information systems that constitute the Internet, and for responding to and recovering from incidents, is dependent in equal measure upon:

- Furnishing users and operators of the Internet with information to help them secure their computers and networks against threats and vulnerabilities, and respond to and recover from incidents;
- Fostering public-private partnerships with the goal of increasing education and awareness and working with the private sector—which owns and operates most of the information infrastructures on which nations depend—to secure those infrastructures;
- Identifying, evaluating, and stimulating the adoption of technical standards and best practices that ensure the security of information transmitted over the Internet and other communication networks; and
- Fostering the adoption of cyber-crime policies and legislation that will protect Internet users and prevent and deter criminal misuse of computers and computer networks, while respecting the privacy and individual rights of Internet users.

The member states of the OAS are committed, within the framework of this Comprehensive Inter-American Cybersecurity Strategy, to fostering a culture of cybersecurity that deters misuse of the Internet and related information systems and encourages the development of trustworthy and reliable information networks. This commitment will be effectuated through actions of the member

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2. Declaration on Security in the Americas, document CES/DEC. 1/04 rev. 1.

3. Declaration of Montevideo, OEA/Ser.L/X.2.4, CICTE/DEC. 1/04 rev. 3.

4. Appendix V, document OEA/Ser.L/X.2.4, CICTE/INF.4/04.

states and the initiatives that will be undertaken by CICTE, CITEL, and REMJA's Group of Governmental Experts on Cyber-crime described below.

**CICTE: The Formation of an Inter-American Alert, Watch, and Warning Network to Rapidly Disseminate Cybersecurity Information and Respond to Crises, Incidents, and Threats to Computer Security**

Because of the rapidly evolving nature of technology, the daily discovery of new vulnerabilities in software and hardware, and the increasing number of security incidents, cybersecurity is impossible without a constant, reliable supply of information about threats, vulnerabilities, and how to respond to and recover from incidents. Therefore, in support of the Comprehensive Inter-American Cybersecurity Strategy, CICTE will develop plans for the creation of a hemisphere-wide 24-hour per day, seven-day per week network and Computer Security Incident Response Teams (CSIRTs) capable of and charged with appropriately and rapidly disseminating cybersecurity information and providing technical guidance and support in the event of a cyber incident. These teams could begin simply as official points of contact located in each state and charged with receiving computer security information to be transformed into CSIRTs in the future.

The essential characteristics of the effort to create this hemispheric network are summarized below and fully described in the document "Recommendations of the CICTE Cybersecurity Practitioners' Workshop on the OAS Integral Cybersecurity Strategy: Framework for Establishing the Inter-American CSIRT Watch and Warning Network" (CICTE/REGVAC/doc.2/04). CICTE shall, along with the member states, create this hemispheric network using the Plan of Action provided in that document (CICTE/REGVAC/doc.2/04, Section IV).

**Principles**

The CSIRTs that will participate in CICTE's initiative will share common principles. They will be:

- Indigenous – The hemispheric network should be operated and controlled by national points of contact in each participating nation appointed by the governments.
- Systemic – The hemispheric network requires a trained workforce, regular information sharing regarding threats and vulnerabilities, constant reevaluation, the implementation of best practices, and appropriate interaction with policymakers.
- Ongoing – Due to the daily evolution of the Internet, the program must be regularly updated and maintained and the staff trained on a periodic basis.
- Accountable – Rules with respect to issues such as the handling of information must be understood and adhered to or users will lose confidence and efforts to make the system more secure will be undermined.
- Built upon existing arrangements – There are a number of preexisting entities in the Hemisphere that provide cybersecurity services to a greater or lesser extent. Any



new system must build upon these preexisting institutions to avoid duplication and encourage active participation.

### **Building the Hemispheric Network**

The creation of the hemispheric network of CSIRTs will require a series of progressive steps that will depend upon the active participation of the member states:

- Identification of Existing CSIRT Organizations – A survey of CSIRTs must be conducted within the Hemisphere to identify gaps in the coverage of CSIRTs that currently exist in the Hemisphere and to prevent redundant efforts.
- Establishment of a Service Model – National CSIRTs should be so designated by their respective governments and certified and accredited in accordance with international norms in the computer security community. They should also establish a minimum set of standards for cooperation and information-sharing among CSIRTs, as enumerated in CICTE/REGVAC/doc.2/04.
- Addressing Trust Issues – Since much of the information that CSIRTs need to exchange is proprietary or otherwise sensitive, trust must be developed among the participants as an essential element of the hemispheric network. To build such trusted relationships, CSIRTs should be created to possess the attributes and capabilities identified in CICTE/REGVAC/doc.2/04, which include a secure infrastructure for managing sensitive information; the ability to communicate securely with stakeholders; and procedures to guard against inappropriate disclosure of information. Member states will always maintain the right to decide on the type of information that will be exchanged through their designated CSIRTs.
- Building Public Awareness – National CSIRTs should ensure the public knows how to report a cyber incident and to whom.
- Extending the Network – Member states will consider, when appropriate, extending the capability of the hemispheric network, with a view to assisting states that so request in the development of specific plans, obtaining funding, and developing capacity-building projects.
- Maintaining the Network – The Group of Government Cybersecurity Practitioners would meet periodically as necessary and as convened by CICTE, within available resources.

### **CITEL: The Identification and Adoption of Technical Standards for a Secure Internet Architecture**

The IV Meeting of Permanent Consultative Committee I: Telecommunication Standardization, held in Quito, Ecuador, from March 16 to 19, 2004, adopted the attached resolution, CCP.I/RES.49 (IV-04),<sup>5/</sup> "Cybersecurity," after conducting a joint workshop with the International Telecommunication Union (ITU) that addressed key issues of cybersecurity as related to CITEL. The said resolution, which encompasses the contribution of CITEL to the Comprehensive Inter-American Cybersecurity Strategy, provides guidance for the future work to be developed by CITEL in that area.

An effective cybersecurity strategy must recognize that the security of the network of information systems that comprise the Internet requires a partnership between government and industry. Both the telecommunications and information technology industries and the governments of OAS member states are seeking cost-effective comprehensive cybersecurity solutions. Security capabilities in computer products are crucial to the overall network security. However, as more technologies are produced and integrated into existing networks, their compatibility and interoperability--or the lack thereof--will determine their effectiveness. Security must be developed in a manner that promotes the integration of acceptable security capabilities into the overall network architecture. To achieve such integrated, technology-based cybersecurity solutions, network security should be designed around international standards developed in an open process.

The development of standards for Internet security architecture will require a multi-step process to ensure that adequate agreement, planning, and acceptance are achieved among the various governmental and private entities that must play a role in the promulgation of such standards. Drawing upon the work of such standards development organizations as the Standardization Sector of the International Telecommunication Union (ITU-T), CITEL is identifying and evaluating technical standards to recommend their applicability to the Americas region, bearing in mind that the development of networks in some of the OAS member states has suffered some delays, which implies that for those countries, the achievement of a certain degree of quality for their networks will be important to fully realize adequately secure information exchange systems. CITEL is also establishing liaisons with other standards bodies and industry forums to obtain the participation and feedback of those parties.

The identification of cybersecurity standards will also be a multi-step process. Once CITEL's evaluation of existing technical standards is completed, it will recommend the adoption of standards of particular importance to the region. It will also, on a timely and ongoing basis, identify obstacles to the implementation of those security standards in the networks of the region, and possible appropriate action that may be considered by member states.

The development of technical standards is not a "one-size-fits-all" endeavor. CITEL will evaluate regional approaches to network security, deployment strategies, information exchange, and outreach to the public and the private sector. As part of this effort, CITEL will identify resources for best practices for network communication and technology-based infrastructure protection. This process will require that CITEL review the objectives, scope, expertise, technical frameworks, and guidelines associated with available resources, in order to determine their applicability within the Americas region

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5. Appendix II.

to determine which ones are most appropriate. CITEL will continue to work with member states to assist them in the most appropriate and effective implementation.

CITEL's contribution to the Comprehensive Inter-American Cybersecurity Strategy will take a prospective approach and seek to foster information-sharing among member states to promote secure networks. It will identify and evaluate technical issues relating to standards required for the security of future communications networks across the region, as well as existing ones. This task will draw primarily on the work of ITU-T. Through CITELE, other existing standards-setting bodies will also be considered, as appropriate. Ultimately, CITELE will highlight security standards of particular importance and recommend that member states endorse those standards. It is also important to highlight the crucial role of CITELE in promoting capacity-building and training programs so as to advance the process of spreading technical and practical information related to cybersecurity issues.

CITELE recognizes that, although the first priority must focus on public policies which will bring the benefits of telecommunications and information technologies to all citizens of the OAS member states, strengthening the private-public partnership that will result in the wide-scale adoption of a framework of technical standards that help secure the Internet, will require communication and cooperation among and within the communities that are stakeholders in this partnership. CITELE will foster cooperation among member states on aspects related to network security by helping administrations adopt policies and practices that encourage network and service providers to implement technical standards for secure networks. The new edition of *The Blue Book: Telecommunication Policies for the Americas*, a joint publication of CITELE and ITU, will include a chapter on cybersecurity. CITELE will also foster dialogue within the relevant technical and governmental communities regarding work on network security and cybersecurity through joint seminars with the ITU on security standards. The actions of CITELE may also include matters relating to telecommunications policies, practices, regulations, economic aspects, and the responsibilities of users, all within the legal framework within which the telecommunications service operates, and within the duties and responsibilities of CITELE.

**REMJA: Ensuring That OAS Member States Have the Legal Tools Necessary to Protect Internet Users and Information Networks**

Criminals such as "hackers," organized crime groups, and terrorists are increasingly exploiting the Internet for illicit purposes and engineering new methods of using the Internet to commit and facilitate crime. These illegal activities, commonly referred to as "cyber-crimes," hinder the growth and development of the Internet by fostering the fear that the Internet is neither a secure nor a trustworthy medium for conducting personal, government, or business transactions. Accordingly, REMJA's contribution to the Comprehensive Inter-American Cybersecurity Strategy, through the initiatives of the Group of Governmental Experts on Cyber-crime (the Experts Group), will focus upon assisting member states to combat cyber-crime by ensuring that law enforcement and judicial officials have the legal tools necessary to investigate and prosecute such offenses. This decision was adopted by REMJA at its meeting held from April 28 to 30, 2004, in Washington D.C.<sup>6/</sup>

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6. Appendix IV, document OEA/Ser.K/XXXIV.5, REMJA-V/doc.7/04 rev. 4.

### **Drafting and Enacting Effective Cybercrime Legislation and Improving International Handling of Cybercrime Matters**

Without appropriate laws and regulations, member states are unable to protect their citizens from cyber-crime. Furthermore, member states lacking adequate cyber-crime laws and mechanisms for international cooperation run the risk of becoming safe havens for criminals who commit such offenses. Consequently, the Experts Group will provide technical assistance to member states in drafting and enacting laws that punish cyber-crime, protect information systems, and prevent the use of computers to facilitate illegal activity. The Experts Group will also promote legal mechanisms that encourage cooperation in cyber-crime matters among investigators and law enforcement authorities who investigate and prosecute cyber-crime. These efforts in support of the Comprehensive Inter-American Cybersecurity Strategy will be undertaken within the framework of the recommendations of the Experts Group (Third Meeting of the Group of Governmental Experts on Cyber-Crime, OEA/Ser.K/XXXIV, CIBER-III/doc.4/03).<sup>7/</sup>

In pursuing this initiative, the Experts Group will create training materials, provide technical assistance, and conduct regional workshops to assist in the development of government policies and legislation that will help engender trust and confidence in information systems and the Internet by criminalizing misuse of computers and computer networks. The Experts Group's collaborative training for member states will focus on the modernization of laws and regulations to respond to the challenge of combating cyber-crime. A major objective of these technical training sessions will be to outline the criminal laws and privacy protections necessary to help secure information systems and foster confidence among users of those systems. Specifically, the workshops will focus on the enactment of the following categories of legislation:

- Substantive Computer Crime Laws - Every member state should develop criminal and legal prohibitions against attacks on the confidentiality, integrity, and security of computer systems. Conduct, such as accessing computers without authorization, illegal interception of data, interference with the availability of computer systems, and theft and sabotage of data, should be deemed illegal under the law of each member state.
- Procedural Laws for Gathering Electronic Evidence - Each nation must also have clear procedures meeting international standards for government access to communications and stored data when needed for the investigation of crimes. Equally important, businesses and consumers must be assured that the government will not unjustifiably monitor their communications, and consumers must be sure that the data they provide to merchants will not be misused.

The workshops will focus on the need to draft such laws in a manner that is "technology neutral" (i.e., such laws should address types of crime or types of behavior rather than being drafted only to address a particular type of technology) to prevent newly enacted laws from quickly becoming outdated or irrelevant.

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7. Appendix III.

The borderless nature of global networks means that a single criminal act involving a computer may affect or target computers in multiple countries. During its regional workshops, the Experts Group will also provide training on how to respond to such challenges in international cooperation and facilitate the exchange of investigative information in cyber-crime cases. Additional emphasis will be placed upon building relationships among the cyber-crime experts within the Hemisphere to facilitate international cooperation and provide ready access to expertise and resources within the region for battling cyber-crime.

Following the workshops, the Experts Group will further assist member states by providing legal consultation to support government ministries and legislatures in drafting legislation, regulations, and policies. Expert assistance on a bilateral basis may be required to support governments in the preparation of legislation and policies embodying the core concepts of cyber-crime laws, investigative authorities, and privacy.

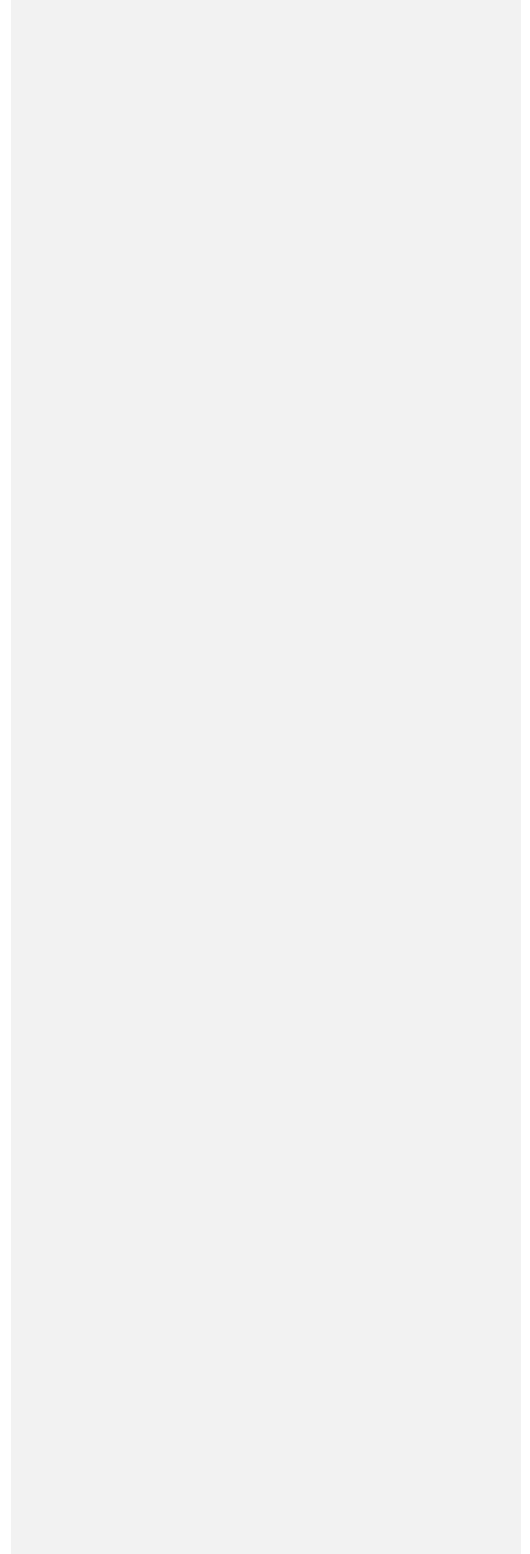
#### CONCLUSIONS AND FOLLOW-UP TO THE STRATEGY

The initiatives of CICTE, CITEL, and REMJA described above each represent a pillar of this Comprehensive Inter-American Cybersecurity Strategy. Together, the concerted multidisciplinary efforts of these bodies will support the growth, development, and protection of the Internet and related information systems and protect users of those information networks. These efforts may evolve over time, requiring new approaches, but their objective will remain the same: creating and supporting a culture of cybersecurity.

Considering that the Strategy is dynamic, periodic review must be undertaken to ensure its continued applicability and effectiveness. This can be achieved through the following actions:

1. Ongoing coordination and cooperation among the secretariats of CICTE, CITEL, and the REMJA Group of Governmental Experts on Cyber-crime.
2. Strengthening coordination among the national authorities and entities, including the national CSIRTs, involved in addressing cybersecurity issues.
3. Establishment of a joint Web site on which pertinent cybersecurity information generated by CICTE, CITEL, and the REMJA Group of Governmental Experts on Cyber-crime can be posted, in order to allow for a cross-fertilization of ideas and to facilitate the exchange of information.
4. The member states and their national CSIRTs should undertake, with CICTE, CITEL, and the REMJA Group of Governmental Experts on Cyber-crime, an inter-American public awareness program regarding cybersecurity and cyber-ethics that emphasizes: the benefits and responsibilities of using information networks; safety and security best practices; the potential negative consequences resulting from the misuse of networks; how to report a cyber incident and to whom; and technical and practical information related to cybersecurity.

5. Periodic review of the cybersecurity initiatives and programs of CICTE, CITEL, and the REMJA Group of Governmental Experts on Cyber-crime, and on the implementation of the Strategy, to be conducted by these three bodies, with a joint progress report to the General Assembly.





APPENDIX I



INTER-AMERICAN COMMITTEE AGAINST TERRORISM (CICTE)

CYBERSECURITY PRACTITIONERS' WORKSHOP  
March 29-30, 2004  
Ottawa, Canada

OEA/Ser.L/X.5  
CICTE/REGVAC/doc.2/04  
8 April 2004  
Original: English

RECOMMENDATIONS OF THE CICTE CYBERSECURITY PRACTITIONERS' WORKSHOP  
ON THE OAS INTEGRAL CYBERSECURITY STRATEGY: FRAMEWORK FOR  
ESTABLISHING THE INTER-AMERICAN CSIRT WATCH  
AND WARNING NETWORK





RECOMMENDATIONS OF THE CICTE CYBERSECURITY PRACTITIONERS' WORKSHOP  
ON THE OAS INTEGRAL CYBERSECURITY STRATEGY: FRAMEWORK FOR  
ESTABLISHING THE INTER-AMERICAN CSIRT WATCH  
AND WARNING NETWORK

I. OBJECTIVE

To create a hemisphere-wide network that will operate 24 hours a day, 7 days a week, to be made up of national contact points among *Computer Security Incident Response Teams* (CSIRTs) in Member States of the OAS, with a mandate and the capacity to respond rapidly and in an appropriate manner to crises, incidents and threats to computer security.

These teams could begin simply as official points of contact located in each State and charged with receiving computer security information, to be transformed into CSIRTs in the future.

Since intruders now have more sophisticated means to launch highly automated attacks that spread rapidly over the Internet, while at the same time employing methods intended to disguise and make it difficult to understand or trace the origin of such attacks, worldwide cooperation and ability of teams to respond in real time is of growing importance. Such cooperation must make it possible to:

1. Establish CSIRTs in each of the Member States;
2. Strengthen the Hemisphere's CSIRTs;
3. Identify national points of contact in each State;
4. Identify those services deemed most critical;
5. Quickly detect and diagnose problems;
6. Establish protocols and procedures for the exchange of information;
7. Rapidly disseminate notice of such attacks throughout the region;
8. Provide rapid regional notice of general vulnerabilities in the system;
9. Provide regional warning of suspicious activities, and develop the cooperation needed for analysis and diagnosis of such activities;
10. Provide information on measures for remedying or mitigating attacks and threats;
11. Reduce the amount of duplication in the analysis carried out by each team;
12. Strengthen technical cooperation and training in computer security aimed at establishing national CSIRTs;
13. Make use of existing subregional mechanisms.

This cooperation will reinforce existing technical expertise among the teams so that they can better limit the damage and ensure the continuing operation of critical services.

II. PRINCIPLES

1. Indigenous – The hemispheric network should be operated and controlled by national points of contact in each participating nation appointed by the governments.

2. Systemic – The hemispheric network must be a multi-faceted operation requiring an aware and trained workforce, regular sharing of information regarding current threats and vulnerabilities, constant re-evaluating and implementing of best practices and appropriate interaction with public policy makers.
3. On-going – due to the inherent daily evolution of the Internet, any successful program must regularly be updated and maintained, and the staff trained on a periodic basis. Internet security will not be achieved with a one-time fix.
4. Accountable – The “security” in “cyber security”. Established rules with respect to issues such as the handling and provision of information must be understood and adhered to, or users will lose confidence and efforts to make the system more secure will be undermined and become counter-productive.
5. Built upon existing arrangements – There are a number of pre-existing entities in the hemisphere, including CSIRTs, consulting companies, and contact networks, among others, that provide cyber-security services to a greater or lesser extent. Any new system should build upon these pre-existing institutions and the trust relationships that have already been established intra- and inter-regionally, to avoid duplication and encourage active participation.

### III. IDENTIFICATION OF EXISTING ORGANIZATIONS, ESTABLISHING A SERVICE MODEL, TRUST ISSUES, FINANCING, PUBLIC AWARENESS, AND EXTENDING THE NETWORK

#### 1. Identification of Existing Organizations

There are well over a hundred organizations that use the name CERT (Computer Emergency Response Team), or CSIRT (the generic term of equivalent meaning), world-wide. The Forum of Incident Response and Security Teams (FIRST), a world-wide, voluntary association of CSIRTs, lists 80 members within the OAS Member States, however the vast majority of these currently exist in one member state only. Given the information gaps, conducting a CSIRT census is the essential first step towards developing a cyber-security network.

#### 2. Establishing a Service Model

While there are no international standards agreed upon for what constitutes a CSIRT, there are a number of documents and efforts that can assist the process of defining a CSIRT team and on certification and accreditation of CSIRTs.

The CERT/CC has published a variety of documents that can assist in the creation of a CSIRT, including:

- *Handbook for Computer Security Incident Response Teams (CSIRTs)* provides updated guidance on generic issues to consider when forming a CSIRT;
- *State of the Practice of Computer Security Incident Response Teams*. This report includes information collected through a pilot survey of computer security incident response teams (CSIRTs), CERT/CC's own experience, discussions with and observations of other CSIRTs, and research and reviews of the current literature on incident response; and
- *Creating a Computer Security Incident Response Team: A Process for Getting Started* is a document that describes the basic requirements for creating a CSIRT.

There should be certification and accreditation of national CSIRTs. Member states should consider whether affiliation of their national CSIRTs with FIRST would satisfy the certification and accreditation requirements.

In establishing a regional network of cooperating National CSIRTs, a minimum set of standards for cooperation and information-sharing among the CSIRTs would be expected. These would include:

- i. Designation of the national CSIRT by the respective government;
- ii. Agreement on principles of information sharing among the cooperating teams;
- iii. Responsibility for receiving information from other national CSIRTs and disseminating that information to appropriate entities within the country;
- iv. Participation in information-sharing among the other national CSIRTs in the hemispheric network;
- v. Authorization to disseminate information to other national CSIRTs; and
- vi. Provision of assistance to other national CSIRTs for incidents and threats.

### 3. Trust Issues

Much of the information which CSIRTs need to exchange is proprietary or otherwise sensitive and there are few good models that promote the consistent sharing of information among CSIRTs. Trust –the essential ingredient in information sharing– when it exists, has developed in practice among individuals who know and have worked with each other, rather than institutionally, among organizations. To establish trust, clear expectations on how information exchanged will be used or disseminated must be understood and followed by all parties. Rules on information-sharing, stating how information can be used or disseminated, must be agreed to among all of the cooperating national CSIRTs.

Some of the CSIRT attributes that are required to promote trust in communication and cooperation about sensitive security issues include:

- i. a secure infrastructure for managing sensitive information;
- ii. the ability to communicate securely with stakeholders;
- iii. the ability to marshal experts and decision-makers;
- iv. an infrastructure to support advance notification to select audiences;
- v. procedures to guard against information leakage;
- vi. a well-known public interface for dissemination of critical information; and
- vii. the ability to reach a large audience quickly.

Developing a regional CSIRT capability will require the development of a consensus on rules on information-sharing including what information to share, with whom, and when.

#### 4. Financing

The member states will consider the financial mechanisms for establishing and maintaining a national CSIRT in each country and of participating in the hemispheric network.

#### 5. Public Awareness

The Member States should undertake, with CITELE and the REMJA Working Group, an inter-American public awareness program regarding cyber-security and cyber-ethics that emphasizes:

- i. the benefits and responsibilities of using information networks;
- ii. safety and security best practices;
- iii. the potential negative consequences resulting from the misuse of networks;
- iv. how to report a cyber incident and to whom; and
- v. technical and practical information related to cybersecurity.

The public includes member states, government entities at all levels, the private sector, academia, and the general population.

6. Extending the Network

Member states will consider, when appropriate, extending the capability of the hemispheric network, with a view to assisting states, that so request, in the development of specific plans, obtaining funding, and in developing capacity-building projects.

IV. PLAN OF ACTION

A. Census

Conduct a census to identify existing CSIRTS, their membership range, and the services they provide. This will allow us to identify coverage gaps, both geographically and sectorally, and will lay the groundwork for establishing a consensus set of services which member CSIRTS will offer.

B. Rules on information-sharing

Establish rules on information-sharing among CSIRTS, including how shared information should be protected and disseminated.

C. Establishment of national CSIRTS

Each member state will establish or designate national CSIRTS. Among their responsibilities will be the implementation of the pertinent proposals contained in the document "Recommendations of the CICTE Cybersecurity Practitioners' Workshop on the OAS Integral Cybersecurity Strategy: Framework for Establishing the Inter-American CSIRT Watch and Warning Network" (CICTE/REGVAC/doc.2/04).

D. National point of contact

Designate a national point of contact with the capacity to exchange information on threats, weaknesses and incidents, report on the cybersecurity status in their jurisdiction, and provide timely information to authorities within their jurisdiction.

E. Best practices compendium

Produce a Best Practices compendium based on international CSIRT norms and practices. These could include standards and protocols to undertake real-time monitoring and subsequent exchange of information throughout the network, and could become the basis of subsequent technical assistance and testing protocols.

F. Assistance for building and maintaining CSIRTS in Member States

Identify resources and capabilities that can be used to help member states build and maintain CSIRT capacity or improve existing CSIRT infrastructures in order to effectively participate in the hemispheric network and meet information-sharing rules. Necessary technical assistance and staff training will be included.

G. Public awareness

CICTE, CITEL, and the REMJA Working Group of Government Experts in Cybercrime will work together to develop an awareness campaign to alert the public in member states to cybersecurity issues and the need to protect their cyber-networks.

H. Follow-up

It is recommended that CICTE reconvene the Meeting of Government Experts on Cybersecurity (Cybersecurity Practitioner's Workshop) to develop and implement the recommendations formulated in the document "Recommendations of the CICTE Cybersecurity Practitioners' Workshop on the OAS Integral Cybersecurity Strategy: Framework for Establishing the Inter-American CSIRT Watch and Warning Network" (CICTE/REGVAC/doc.2/04).

It is also recommended that the Working Group to Develop a Draft Cybersecurity Strategy for OAS Member States, of the OAS Committee on Hemispheric Security, transmit this Framework document to the General Assembly for adoption.

APPENDIX II

PCC.I/RES. 49 (IV-04)<sup>13/</sup>  
CYBERSECURITY

The IV Meeting of the Permanent Consultative Committee I: Telecommunication Standardization,

RECOGNIZING:

- a) That ensuring the safety and security of networked information systems (cybersecurity) is a priority item for our hemisphere;
- b) That ubiquitous and secure information networks play an important role for the critical infrastructure of all OAS Member States, their economies and their societies; and
- c) That the next generation networks (NGNs) presently being designed and standardized can take into account technologies and techniques to ensure their robustness and harden their resilience to cyber attacks,

TAKING INTO CONSIDERATION:

- a) That secure and efficient operation of the global telecommunications infrastructure is crucial to the welfare and development of all sectors of the economy and therefore is of vital interest to both governments and the private sector; and
- b) The increasingly frequent and insidious number of cyber attacks on networks, institutions and users, which is causing all kinds of harm, especially those moral, economic and financial,

CONSIDERING:

- a) That CITEI, CICTE (the Inter-American Committee Against Terrorism of the OAS) and REMJA (the Meeting of Justice Ministers or Attorneys General of the Americas) are working towards the development of a hemispheric-wide strategy for cybersecurity, as determined by the OAS General Assembly in Resolution AG/RES.1939(XXXIII-O/03);
- b) The workshop held jointly by the Working Group on Advanced Network Technologies and Services and the Working Group on Standards Coordination on cybersecurity at the IV PCC.I Meeting in Quito, Ecuador, addressed the key issues of cybersecurity as related to CITEI; and

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13. CCP.I-TEL/doc.427/04 rev. 2.



- c) The important commitments undertaken by the Heads of State and Government of the Region, as expressed in the Nuevo Leon Declaration, including the encouragement of affordable access to information and communications technologies for all,

FURTHER CONSIDERING:

That CITEL, through its partnering with the private sector on issues in its areas of responsibility, and through its Work Plan for advanced network issues, and in particular cybersecurity and NGNs, can make an important contribution to both raising awareness of critical issues potentially impacting the Region and refining its work plans in these areas through facilitation of focused discussion and information sharing.

RESOLVES:

1. To approve the attached contribution of CITEL to the OAS Cybersecurity Strategy and forward it to the OAS Committee on Hemispheric Security for review and submission to the OAS General Assembly in June 2004.
2. To request the CITEL's Rapporteur on Cybersecurity and Critical Infrastructure matters to convey a copy of this Resolution to the CICTE/CITEL/REMJA Joint Working Group on Cybersecurity.

INVITES:

- a) The Working Group on Advanced Network Technologies and Services and the Working Group on Standards Coordination to continue working on the issue of cybersecurity and to report back to PCC.I on their findings on this particular matter.
- b) The Chairman of PCC.I to send a letter to the Chairman of the OAS Committee on Hemispheric Security attaching a copy of this Resolution.

ANNEX TO RESOLUTION PCC.I/RES.49 (IV-04)

CITEL: The Identification and Adoption of Technical Standards for a Secure Internet Architecture

An effective cybersecurity strategy must recognize that the security of the network of information systems that comprise the Internet requires a partnership between government and industry. Both the telecommunications and information technology industries and the governments of OAS Member States are seeking cost-effective comprehensive cybersecurity solutions. Security capabilities in computer products are crucial to the overall network security. However, as more technologies are produced and integrated into existing networks, their compatibility and interoperability—or the lack thereof—will determine their effectiveness. Security must be developed in a manner that promotes the interweaving of acceptable security capabilities with the overall network architecture. To achieve such integrated, technology-based cybersecurity solutions, network security should be designed around international standards developed in an open process.

The development of standards for Internet security architecture will require a multi-step process to ensure that adequate agreement, planning, and acceptance is achieved among the various governmental and private entities that must play a role in the promulgation of such standards. Drawing upon the work of such standards development organizations as the Standardization Sector of the International Telecommunication Union (ITU-T), CITEL is identifying and evaluating technical standards to recommend their applicability to the Americas region, bearing in mind that the development of networks in some of the OAS Member States has suffered some delays, which implies that for those countries, the achievement of a certain degree of quality for their networks will be important to fully realize adequately secure information exchange systems. To expedite its work, CITEL and the ITU-T organized a joint workshop on Cybersecurity in March 2004. CITEL is also establishing liaisons with other standards bodies and industry fora to obtain the participation and feedback of those parties.

The identification of cyber security standards will be a multi-stepped process. Once CITEL's evaluation of existing technical standards is completed, it will recommend the adoption of standards of particular importance to the region. It will also, on a timely and ongoing basis, identify obstacles to implementation of those security standards in the networks of the region, and possible appropriate action that may be considered by Member States.

The development of technical standards is not a “one-size-fits-all” endeavor. CITEL will evaluate regional approaches to network security, deployment strategies, information exchange, and outreach to the public and the private sector. As part of this effort CITEL will identify resources for best practices for network communication and technology-based infrastructure protection. This process will require that CITEL review the objectives, scopes, expertise, technical frameworks and guidelines associated with available resources in order to determine their applicability within the Americas region to determine which ones are most appropriate. CITEL will continue to work with Member States to assist them for the most appropriate and effective implementation.

CITEL's contribution to the cyber security strategy will take a prospective approach and seek to foster information sharing among Member States to promote secure networks. It will identify and evaluate technical issues relating to standards required for security of future communications networks across the region, as well as existing ones. This task will draw primarily on the work of

ITU-T. Through CITELE, other existing standards-setting bodies will also be considered, as appropriate. Ultimately, CITELE will highlight security standards of particular importance and recommend that Member States endorse those standards. It is also important to highlight the crucial role of CITELE in promoting capacity building and training programs so as to advance the process of spreading technical and practical information related to cybersecurity issues.

CITELE recognizes that, although the first priority must focus on public policies which will bring the benefits of telecommunications and information technologies to all citizens of the OAS Member States, strengthening the private/public partnership that will result in the wide scale adoption of a framework of technical standards that help secure the Internet will require communication and cooperation among and within the communities that are stakeholders in this partnership. CITELE will foster cooperation among Member States on aspects related to network security by helping Administrations adopt policies and practices that encourage network and service providers to implement technical standards for secure networks. The new edition of the Blue Book – “Telecommunications Policies for the Americas”, a joint publication of CITELE and ITU, will include a chapter on cybersecurity. CITELE will also foster dialogue within the relevant technical and governmental communities regarding work on network and cyber security through joint seminars with the ITU on Security standards. The actions of CITELE may also include matters relating to telecommunications policies, practices, regulations, economic aspects and the responsibilities of the users, all within the legal framework within which the telecommunications services operates, and within the duties and responsibilities of CITELE.

APPENDIX III

MEETINGS OF  
MINISTERS OF JUSTICE OR OF MINISTERS  
OR ATTORNEYS GENERAL OF THE AMERICAS  
(REMJA)

OEA/Ser.K/XXXIV  
CIBER-III/doc.4/03  
June 24, 2003  
Original: Spanish

Third Meeting of Group of Governmental Experts  
On Cyber-Crime  
June 23 and 24, 2003  
Washington, D.C.

RECOMMENDATIONS  
INITIAL MEETING OF GROUP OF  
GOVERNMENTAL EXPERTS ON CYBER-CRIME\*

Governmental experts on Cyber-Crime of the OAS Member States met in Washington D.C, during the days of June 23 and 24, 2003, in accordance with the recommendations adopted at the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-IV) and with OAS General Assembly resolution AG/RES. 1849 (XXXII-O/02).

Taking into account the mandate that was assigned to this Group by REMJA-IV, in concluding its deliberations within the framework of this initial meeting, the Group of Governmental Experts agreed to the following recommendations in relation to the areas in which major developments are required in order to strengthen and consolidate hemispheric cooperation in the fight against cyber-crime:

1. That, in accordance with the recommendation prepared by this Group and adopted by REMJA-III, States that have yet not done so, as soon as possible, identify or, when necessary create or establish, the specific units or bodies charged with the direction and development of the investigation and prosecution of the different modalities of cyber-crimes and that they be assigned the necessary human, financial and technical resources in order to comply with their responsibilities in an efficient, effective and expeditious manner.
2. That States that have yet not done so, as soon as possible, examine their legal systems to determine whether it adequately applies to combat cyber-crime and collect and keep in safe custody electronic indicia and/or evidence.
3. That the States that have yet not done so adopt legislation that is specifically required for criminalizing the different modalities of cyber-crimes and to set the

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\* The present document was approved in its entirety by the Group of Governmental Experts on Cyber-Crime, in the session that took place on the 24th of June, 2003.

procedural measures which ensure the collection and preservation in safe custody of electronic indicia and/or evidence, as well as the efficient, effective and expeditious investigation and prosecution of cyber-crimes.

4. That, in order to assist the States in the preparation or improvement and adoption of legislation on cyber-crime, technical meetings be held, within the OAS framework, on legislative drafting in this field, in which specific actions that must be undertaken be considered, among others, in substantive, procedural and mutual legal assistance areas to write or improve national legislation and provide a legal framework that allows and ensures efficient, effective and expeditious hemispheric cooperation in the handling of electronic evidence and of the fight against the different modalities of cyber-crimes.
5. That, based on the information provided by the States, the OAS General Secretariat prepare and maintain an updated directory of points of contact for each one of the countries that make up the Governmental Group of Experts on Cyber-crime, as well as a directory of authorities responsible for the investigation and prosecution of cyber-crimes.
6. That the States that have yet not done so, adopt the necessary decisions for membership, as soon as possible, to the "24 hours/7 days Emergency Network," having first taken the steps in item 1, if necessary.
7. That taking into account progress made through the OAS website, information regarding developments in the fight against cyber-crime be consolidated into a comprehensive information system that provides both public access to information and restricted access to sensitive information for government officials with responsibilities in this field. Likewise that, based on the information provided by the States, the General Secretariat compile and post on the OAS website the applicable national laws and identify the common thematic areas.
8. That the States incorporate specific materials on cyber-crime and the handling of electronic evidence in general into their training programs, directed to judges, prosecutors and law enforcement officials and that the Member States of the OAS and Permanent Observers to this Organization provide the broadest mutual technical assistance and cooperation among themselves.
9. That information exchange and cooperation continue to be strengthened with other international organizations and agencies on cyber-crime like the United Nations, the Council of Europe, the European Union, Asian Pacific Economic Cooperation forum, the OECD, the G-8 and the Commonwealth, giving the OAS Member States the opportunity to know and use the developments in said organizations and agencies.

10. That the Group of Governmental Experts on Cyber-Crime meet at least once a year, within the OAS framework, and that in its following meetings:
  - a) Examine the results of the technical meetings mentioned in paragraph 4 and that, taking into account their results, consider what adjustments, if any, should be adopted for future meetings of this nature, and further actions that should be taken to facilitate the adoption and application of legislation described above.
  - b) Prepare recommendations to identify and describe the various types of cyber-crimes.
  - c) Prepare recommendations to identify and describe the legal investigative powers that States shall possess to investigate cyber-crimes. These legal investigative powers shall:
    - i) Apply not only to investigation of cyber-crimes, but also to the collection and safe custody of indicia and/or evidence in electronic form of any other criminal offense.
    - ii) Ensure an adequately balance between the funded and motivated exercise of these powers and the need to guarantee the rules of due process, in the framework of the respect of fundamental human rights and freedoms.
    - iii) Apply, as permitted by national law, to respond to requests for international cooperation and domestic investigations.
    - iv) Be able to trace the communications of criminals suspects, through computer networks involving multiple service providers in order to determine the path, origin or destination of the communication.
  - d) Recommend measures to prevent the creation of cyber-crime heavens in accordance with laws of the States and international treaties.
  - e) The States report on the measures that they have taken between one meeting and the other.

Washington D.C., United States of America, June 24, 2003.



FIFTH MEETING OF MINISTERS OF JUSTICE  
OR OF MINISTERS OR ATTORNEYS GENERAL  
OF THE AMERICAS  
April 28-30, 2004  
Washington, D.C.

APPENDIX IV

OEA/Ser.K/XXXIV.5  
REMJA-V/doc.7/04 rev. 4  
30 April 2004  
Original: Spanish

CONCLUSIONS AND RECOMMENDATIONS OF REMJA-V\*

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\* The "Conclusions and Recommendations of REMJA-V" were approved by consensus during the plenary session held on April 30, 2004, in the framework of the Fifth Meeting of Minister of Justice or of Ministers or Attorneys General of the Americas (REMJA-V) held at OAS Headquarters in Washington, D.C., United States.





## CONCLUSIONS AND RECOMMENDATIONS OF REMJA-V

Having concluded its deliberations on the various items on its agenda, the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), convened under the auspices of the OAS, approved the following conclusions and recommendations for transmission, through the Permanent Council, to the General Assembly of the OAS at its thirty-fourth regular session.

### I. HEMISPHERIC COOPERATION AGAINST TRANSNATIONAL ORGANIZED CRIME AND AGAINST TERRORISM

REMJA-V reaffirms that the damage caused and the threat posed by the different types of transnational organized crime and terrorism, to our citizens and to our democracies and to the economic and social development of our states, make it necessary and urgent to continue to strengthen and enhance mutual legal and judicial cooperation at the hemispheric level, as well as to enact laws, procedures, and new mechanisms, if they have not done so, to enable them to combat these crimes effectively.

In this connection, it underscores that the Declaration on Security in the Americas, adopted in Mexico City on October 28, 2003, states that terrorism and transnational organized crime are part of the new threats, concerns, and other diverse challenges affecting the security of the states of the Hemisphere and reaffirms that “the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA) and other meetings of criminal justice authorities are important and effective fora for promoting and strengthening mutual understanding, confidence, dialogue, and cooperation in developing criminal justice policies and responses to address new threats to security.”

Considering that, although the international community has made progress in drawing up regulations to combat these forms of crime, differences persist in the way States criminalize this conduct, which can create obstacles for more effective international cooperation.

REMJA-V recognizes that it is advisable that the subject of transnational organized crime continue to be dealt with by the many bodies of the OAS as they have been doing in the framework of their respective competence, such as CICAD, the Consultative Committee of CIFTA, the CIM, the Inter-American Children’s Institute, REMJA, and MESICIC.

REMJA-V reaffirms that the measures carried out by the States Parties in combating terrorism shall take place with full respect for the rule of law, human rights, and fundamental freedoms, without undermining the rights and obligations of States and individuals in keeping with International Law, International Law on Human Rights and International law on Refugees.

REMJA-V expresses satisfaction that in the period following REMJA-IV, OAS Member States have taken significant steps to strengthen hemispheric implementation of United Nations counter-terrorism and transnational organized crime instruments in effectively addressing these crimes. In particular, during the interval between REMJA-IV and REMJA-V, numerous OAS Member States became Party to the 1999 Convention for the Suppression of the Financing of Terrorism, as well as earlier universal counter-terrorism instruments. Similarly, numerous OAS

Member States became Party to the 2000 United Nations Convention Against Transnational Organized Crime and its three Complementary Protocols or took substantial steps towards reaching this status. REMJA-V recognizes this notable progress to combat terrorism and transnational organized crime.

REMJA-V also notes with satisfaction that adherence to regional instruments addressing terrorism and organized crime has rapidly accelerated. The 2002 Inter-American Convention Against Terrorism has entered into force on July 10, 2003 and has been ratified by eight (8) Member States of the OAS; and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Material (CIFTA) has been ratified by twenty-two (22) Member States of the OAS.

REMJA-V also expresses satisfaction at the progress made in strengthening and consolidating cooperation between the States of the Americas to combat terrorism, through the work of the Inter-American Committee against Terrorism (CICTE) and its national contact points.

At the same time, more work remains in crafting effective implementation of hemispheric and global counter-terrorism and organized crime standards, and we note with alarm the increase in terrorist attacks throughout the world and activities of other criminal organizations. Accordingly, we recommend that:

A. HEMISPHERIC COOPERATION AGAINST TRANSNATIONAL ORGANIZED CRIME

1. With respect to combating organized crime, Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible:
  - a. The United Nations Convention Against Transnational Organized Crime, the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and the Protocol Against the Smuggling of Migrants by Land, Sea, and Air. We encourage Member States to complete their internal processes for determining whether to sign and ratify the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.
  - b. The Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Material (CIFTA), which, inter alia, sets forth an effective regime for criminalizing illicit arms trafficking that can aid the fight against organized crime and terrorist groups, as well as creating a mechanism for tracing illicitly trafficked weapons to their source.
2. Member States who are Party or signatory to the Transnational Organized Crime Convention and its two protocols in force, work together at the First Conference of the Parties, June 28 to July 9, 2003, to facilitate the successful application of these important international instruments.

3. To recommend to the General Assembly of the OAS that it convene a group of experts to consider the possibility of drawing up a Hemispheric Plan of Action against Transnational Organized Crime as an integrated plan that brings together the efforts that each area of the OAS has been making to address the problem's different aspects, in accordance with the Declaration on Security in the Americas.
4. That the Member States consider, when appropriate, harmonization of their respective legal frameworks with the obligations taken on in this matter. To this end, it is recommended that the General Assembly of the OAS instruct the Inter-American Juridical Committee to conduct a study on the afore-mentioned issue and that it report to the body that the General Assembly has assigned responsibility to consider the possibility of drafting the Hemispheric Plan of Action against Transnational Organized Crime.
5. That the Member States promote greater inter-relations between law enforcement authorities so they can decide on common lines of action in investigating and prosecuting these crimes.
6. Urge States to hold regional and national training seminars and workshops that refer to the different modalities of transnational organized crime.

B. HEMISPHERIC COOPERATION AGAINST TERRORISM

1. With respect to combating terrorism, Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible:
  - a. the twelve United Nations counter-terrorism conventions.
  - b. the Inter-American Convention Against Terrorism.
2. Member States have sufficient ability to take law enforcement action with respect to situations in which a terrorist attack has not yet been carried out, and timely investigation and prosecution may prevent the carrying out of such attacks, and take immediate steps to provide for a sufficient ability to pursue and cooperate with each other in respect of such conduct.
3. Each Member State enhances its abilities to facilitate the sharing of information among security services and law enforcement agencies in order to prevent attacks and successfully prosecute terrorists in conformity with applicable national laws and international instruments.
4. In applying Article 7 of the Inter-American Convention against Terrorism, the Member States promote the broadest measures of cooperation, particularly measures to ensure effective cooperation among law enforcement agencies, immigration

services, and related agencies, and improve their controls on travel and identity documents.

5. To take note of the work of the Inter-American Commission on Human Rights in the area of terrorism and human rights. It recommends that officials responsible for the development of anti-terrorism legislation continue to meet and exchange best practices and national experiences between them on this issue.
6. To recommend that Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters include information on legislation, as appropriate, and anti-terrorist policies in force in the Member States.
7. To recommend that, in order to help in the prevention of acts of terrorism, measures must be taken to avoid discrimination against members of society.

## II. MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS AND EXTRADITION

### A. MEETING OF CENTRAL AUTHORITIES AND OTHER EXPERTS ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

REMJA-V recommends as follows:

1. To express its satisfaction at the Meeting of Central Authorities and Other Experts in Mutual Legal Assistance in Criminal Matters, held pursuant to the recommendations of REMJA-IV in Ottawa, Canada, from April 30 to May 2 2003, and to adopt in their entirety its recommendations, published in document OEA/Ser.K/XXXIV.5 REMJA-V/doc.4.
2. To support, in accordance with recommendation 6 of that meeting, the continued holding of meetings of the Central Authorities and other Experts on mutual legal assistance in criminal matters in the Hemisphere at least once between REMJAs, with the support and coordination of the Working Group on Mutual Legal Assistance, as well as consideration, at their next meeting, of both progress made in implementing the recommendation of the Ottawa meeting and, *inter alia*, the topics referred to in the aforementioned recommendation 6, according to an order of priorities that they define.
3. To decide that the next Meeting of Central Authorities and Other Experts start considering actions to build up hemispheric legal cooperation in the matter of extradition, including temporary extradition when appropriate in keeping with national legislation and to proceed with organizing the sections on mutual legal and judicial cooperation of a hemispheric plan of action to fight against transnational organized crime and terrorism, including measures of administration of cases by the requesting State so as not to overburden the requested State.

4. To decide that the next Meeting of Central Authorities and Other Experts shall continue building up and rendering more effective the mechanisms of mutual legal assistance in criminal matters, and hemispheric cooperation in the matter of extradition. To this end, the Meeting of Central Authorities and Other Experts will be able to request input from the following bodies regarding the areas of their competence: CICTE, CICAD, Consultative Committee of CIFTA, CIM, MESICIC, Inter-American Children's Institute, and the Inter-American Juridical Committee.
- B. HEMISPHERIC INFORMATION EXCHANGE NETWORK FOR MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

In view of the usefulness and importance of the *Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters*, REMJA-V recommends as follows:

1. To decide to adopt the Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters and urge all Member States to implement its public component and disseminate among the most interested users.
2. That, since the network, under the leadership of a group consisting of Argentina, Bahamas (The), Canada, and El Salvador, and administered by the OAS General Secretariat, comprises data on all OAS Member States, information related to mutual legal assistance in criminal matters and extradition should continue to be posted on the public website.
3. That States that have not yet done so identify a contact person to provide and update the information made available via the network.
4. To express satisfaction towards the development of the MLA secure e-mail pilot project and recommends that all States take the appropriate measures to evaluate it and that it continue to operate and be expanded to cover other States.
5. To examine the possibility of exchanging information, in mutually interesting areas and methodologies, with the Virtual Prosecution Office of Latin America.

### III. PENITENTIARY AND PRISON POLICIES

Given the importance and advisability of continuing and reinforcing the exchange of information and experiences as well as mutual cooperation with regard to penitentiary and prison policies, REMJA-V recommends as follows:

1. To express its satisfaction with the results and adopt the report of the First Meeting of the Group of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States (document OEA/Ser.K/XXXIV.5 REMJA-V/doc.6/04), OEA/Ser.K/XXXIV.5 REMJA-V/doc.6/04), held at OAS headquarters on October 16 and 17, 2003, in keeping with a REMJA-IV decision.

2. To support periodic meetings of officials responsible for the penitentiary and prison policies of the OAS member states and the establishment of an Internet information system on such policies, as recommended at the first meeting of the officials.
3. That the States, through their participation in the meetings of penitentiary and prison authorities, promote penitentiary strategies and policies, based on respect for human rights, and that contribute to reducing overcrowding in prisons. To this end, the States will promote modernization of prison infrastructure and extend the functions of rehabilitation and social integration of the individual, by improving conditions of detention and studying new penitentiary standards.

#### IV. CYBER-CRIME

Under this topic, REMJA-V recommends as follows:

1. To express its satisfaction with the results of the Initial Meeting of the Group of Governmental Experts on Cyber-Crime, held at OAS headquarters on June 23 and 24, 2003, in keeping with a REMJA-IV decision.
2. To adopt the recommendations of the Group of Governmental Experts (document OEA/Ser.K/XXXIV.5 REMJA-V/doc.5/04) and to ask it, through its Chair, to report to the next meeting of REMJA on the progress made regarding said recommendations.
3. To support consideration of the recommendations made by the Group of Governmental Experts at its initial meeting as the REMJA contribution to the development of the Inter-American Strategy to Combat Threats to Cybersecurity, referred to in OAS General Assembly resolution AG/RES. 1939 /XXXIII-O/03), and to ask the Group, through its Chair, to continue to support the preparation of the Strategy.
4. That international training on cybercrime be provided to the States of the OAS that request it and that the States of the OAS in general consider the possibility of allocating resources to guarantee delivery of this training.
5. That the Member States participate in the technical meetings of the Group of Governmental Experts on Cyber-Crime so that future challenges can clearly be understood throughout the hemisphere.
6. That Member States, in the context of the expert group, review mechanisms to facilitate broad and efficient cooperation among themselves to combat cybercrime and study, when possible, the development of technical and legal capacity to join the 24/7 network established by the G8 to assist in cybercrime investigations.

7. To the extent possible, Member States ensure that differences in the definition of offenses do not impede the efficiency of cooperation through mutual legal and judicial assistance and extradition.
8. That Member States evaluate the advisability of implementing the principles of the Council of Europe Convention on Cybercrime (2001); and consider the possibility of acceding to that convention.
9. That Member states review and, if appropriate, update the structure and work of domestic bodies, or agencies in charge of enforcing the laws so as to adapt to the shifting nature of cybercrime, including by reviewing the relationship between agencies that combat cybercrime and those that provide traditional police or mutual legal assistance.

V. CORRUPTION: FOLLOW-UP ON THE COMMITMENTS UNDERTAKEN IN THE DECLARATION OF NUEVO LEÓN

The Declarations of Nuevo Leon and Quebec City, as well as previous REMJA, recognize the severity of the problem of corruption in our societies.

We note with approval that, since REMJA-IV, most Member States have signed the United Nations Convention against Corruption and a number of additional Member States have become Party to the Inter-American Convention against Corruption, but we today undertake to strengthen our efforts to effectively pursue corruption.

Accordingly, REMJA-V recommends that Member States:

1. That have not yet done so take measures as soon as possible that are necessary to reach the following objectives:
  - a. Sign and ratify, ratify, or accede to, as appropriate, and implement the 2003 United Nations Convention against Corruption.
  - b. Sign and ratify, ratify, or accede to, as appropriate, and implement the 1996 Inter-American Convention against Corruption.
2. Cooperate to strengthen the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, through practical measures to enhance its effectiveness, including to increase economic resources and develop human resources and speed up the evaluation process of the First Round.
3. Prior to REMJA-VI, each Member State, in conformity with its national laws and applicable international regulations, shall adopt domestic legal measures that deny safe haven to corrupt officials, to those who corrupt them, and their assets and shall exchange information on the measures they have adopted.



4. In conformity with national legislation and any international juridical instruments that are applicable, review their legal regimes to extradite and provide mutual legal assistance with respect to corruption offenses, including their abilities to provide for confiscation of assets proceeding from criminal activities on behalf of other countries that may have different modalities for obtaining confiscation, with a view to enhancing them.
5. Adopt such legislative and other measures, in accordance with fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property to the requesting State, in the case of embezzlement of public funds or of laundering of embezzled public funds.
6. We shall support the work of the meeting of the States Parties to the Inter-American Convention against Corruption that will be held in Managua, Nicaragua in July 2004, which should consider "additional concrete measures to increase transparency and combat corruption."

#### VI. TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN

Bearing in mind that the trafficking in persons is an offense against human dignity, which should be criminalized, prevented, and combated and whose victims are in a situation of vulnerability, which requires greater international attention and due assistance and protection to safeguard their human rights and for which, to reach these goals, integral cooperation of all the States is required.

Recognizing that there are many international instruments guaranteeing the protection of women, boys, girls and adolescents, such as the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, ILO Convention 182 concerning the Worst Forms of Child Labor, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, the Inter-American Convention on International Traffic in Minors, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Bearing in mind that the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Especially Women and Children, complementary to the United Nations Convention against Transnational Organized Crime, specifies the actions that qualify trafficking in persons as a crime.

Determined to overcome obstacles in the fight against this transnational crime.

REMJA-V recommends the following:

1. That Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible, the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Especially Women and

Children, that complements the United Nations Convention against Transnational Organized Crime.

2. Encourage Member States to complete their internal processes for determining whether to sign and ratify:
  - a. The Protocol against the Illicit Trafficking in Migrants by Land, Sea and Air
  - b. The Inter-American Convention on International Traffic in Minors.
3. The holding of a meeting of national authorities in this matter, including the participation, *inter alia*, of the CIM, the IIN, the United Nations, the OIM, and other related international organizations for the purpose of studying integral cooperation mechanisms among the States to ensure protection of and assistance to the victims, the prevention of the crime, and the prosecution of its perpetrators. Likewise, the meeting will facilitate the exchange of information and experiences, political dialogue and cooperation between the countries of origin, transit and destination of the trafficking in persons, as well as the establishment or improvement of statistics records in this area.
4. To keep the topic of the Trafficking in Persons as an item on the agenda in future debates of REMJA.

#### VII. VIOLENCE AGAINST WOMEN

##### REMJA-V:

1. Urges Member States to complete their internal processes for determining whether to sign and ratify the Inter-American Convention on the Prevention, Punishment and Eradication Violence against Women (Convention of Belém do Pará).
2. Encourages the States Parties to the Inter-American Convention on the Prevention, Punishment and Eradication Violence against Women (Convention of Belém do Pará) to study the most appropriate manner establish the Convention's Follow-up Mechanism.

#### VIII. GENDER AND JUSTICE

REMJA-V, after having heard the presentation by the Inter-American Commission of Women (CIM), took note of the recommendations on gender and justice formulated to the REMJA-V by the Second Meeting of Women Ministers or Ministers or Top Authorities Responsible for Women's Policies in the Member States and refers them to the Member States for greater consideration.

IX. JUSTICE STUDIES CENTER OF THE AMERICAS (JSCA)

Pursuant to the mandates of the Second and Third Summits of the Americas, OAS resolution AG/RES.1 (XXVI-E/99), and the conclusions and recommendations of REMJA II and III, which led to the establishment of a Studies Center to contribute to improving the policies and institutional capacity of the region's justice systems.

And having heard the report of the Justice Studies Center of the Americas, REMJA-V decides:

1. To express its appreciation to the Board of Directors and the Executive Director for the leadership and initiative they have shown in guiding and developing the Center's initial work plans in the criminal justice area and giving concrete form to the vision of a regional center of justice sector expertise set forth by the Heads of State and Government in Santiago of Chile.
2. To congratulate the Center on the successful launch of websites and publications that are being widely consulted in the region, as well as on the drafting of an important comparative study of criminal procedure norms and practices in the region that should help improve justice system performance.
3. To express satisfaction at the efforts made to ensure participation by Member States in Center programs and activities, notwithstanding the diversity of interests and institutions involved and the limitations of funding.
4. To request that the Center, consistent with the objectives set forth in its Statute, include in its working plans the conclusions and recommendations of REMJA, toward which end the Member States shall provide the necessary resources.
5. To request the Center to organize a working group or process, including both the Member States and other donors, to develop for consideration by REMJA-VI a plan for funding the Center consistent with the mandate of the Third Summit of the Americas. This process shall be without detriment to the voluntary contributions that for this purpose the Member States should make, in accordance with the provisions of the Center's Statute, approved by the General Assembly of the Organization of American States.
6. To approve renewal of the Executive Director's term of office as agreed by the Board of Directors of the Center, in accordance with its Statute, in a regular session held on January 5, 2004 in Santiago de Chile.
7. To request the Center to continue supporting national efforts to strengthen domestic systems, with a view toward improving the national frameworks for cooperation and mutual legal assistance.

X. NEXT MEETING

REMJA-V recommends that the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI) take place in 2006 and that the OAS General Assembly charge the Permanent Council of the OAS to set a date and site for REMJA-VI.



APPENDIX V

INTER-AMERICAN COMMITTEE AGAINST TERRORISM (CICTE)

FOURTH REGULAR SESSION  
January 28-30, 2004  
Montevideo, Uruguay

OEA/Ser.L/X.2.4  
CICTE//INF.4/04/04  
29 January 2004  
Original: English

FRAMEWORK FOR ESTABLISHING  
AN INTER-AMERICAN CSIRT WATCH AND WARNING NETWORK

(Presented by Ambassador Margarita Escobar,  
Chair of the Working Group of the OAS Committee on Hemispheric Security  
of the OAS, held on January 29, 2004, during the Third Plenary Session)



FRAMEWORK FOR ESTABLISHING  
AN INTER-AMERICAN CSIRT WATCH & WARNING NETWORK

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Chair of the Working Group of the OAS Committee on Hemispheric Security  
of the OAS, held on January 29, 2004, during the Third Plenary Session)

**Objective:** To develop a hemisphere-wide 24-hour per day, seven day per week network of national points of contact among Computer Security Incident Response Teams (CSIRTs) with national responsibility (National CSIRTs), in OAS member states, capable of and charged with appropriately and rapidly responding to cyber-security related crises, incidents, and threats.

As intruders use increasingly sophisticated attack tools, launch highly automated attacks that travel at Internet speed, and intentionally use attack techniques that make it difficult to understand the nature and source of the attacks, global, real-time collaboration across response teams will become increasingly important. This collaboration would:

- support rapid and accurate diagnosis of a problem;
- rapidly disseminate warnings of actual attacks across the global community;
- rapidly disseminate warnings of generic vulnerabilities across the global community;
- alert the global community to suspicious activity and support collaborations that investigate and diagnose the activity;
- provide information on mitigation and remediation strategies to combat attacks and threats; and
- minimize duplication of analysis effort across teams.

Collaboration helps to leverage the technical knowledge that exists across the teams to limit damage and ensure continued operation of critical services.

**Principles:**

**Indigenous** – The program must be operated and controlled by entities rooted in each participating nation, designated by their government.

**Systemic** – The system must be a multi-faceted operation requiring an aware and trained workforce, regular sharing of information regarding current threats and vulnerabilities, constant re-evaluating and implementing of best practices and appropriate interaction with public policy makers.

**On-going** - due to the inherent daily evolution of the Internet, any successful program must regularly be updated and maintained. Internet security will not be achieved with a one-time fix.

**Accountable** – The “security” in “cyber security”. Strict rules with respect to issues such as the handling of information must be understood and adhered to, or users will lose confidence



and efforts to make the system more secure will be undermined and become counter-productive.

Built upon existing arrangements – There are a number of pre-existing entities in the hemisphere that provide cyber-security services to a greater or lesser extent. Any new system should build upon these pre-existing institutions to avoid duplication and encourage active participation.

#### Identification of Existing Organizations

There are well over a hundred organizations that use the name CERT (Computer Emergency Response Team), or CSIRT (the generic term of equivalent meaning), world-wide. Many, but not all, have some affiliation with the CERT Coordination Center (CERT/CC) at Carnegie Mellon University where the first “CERT” was created. Even those CSIRTs associated with CERT/CC vary in their specific approaches to incident response based on a variety of factors such as consistency, geographical and technical issues, authority, services provided, and resources. In the United States, the Department of Homeland Security, National Cyber Security Division has created US-CERT, to be the “Computer Emergency Readiness Team” with national responsibility in the United States. In Canada, the Cyber Protection Division within the newly formed Public Safety and Emergency Preparedness Canada (PSEPC) fulfils a similar national responsibility role.

The Forum on Incident Response Teams (FIRST), a world-wide, voluntary association of CSIRTs, lists 79 members within the OAS Member States, of which 68 are in the US. Of the remainder, six are in Canada; two are in Brazil, and one each in Chile, Mexico, and Peru. In addition, some companies, such as ATT, Symantec, and Visa, offer CSIRT services to their customers throughout the world, and there may be other CSIRTs in the region, such as Ar-CERT in Argentina, that that are not part of the FIRST network.

Given the information gaps, conducting a CSIRT census is the essential first step towards developing a cyber-security network.

#### Establishing a Service Model

While there are no international agreed upon standards for what constitutes a CSIRT, there are a number of documents and efforts that can assist the process of defining a CSIRT team and on certification and accreditation of CSIRTs.

The CERT/CC has published a variety of documents that can assist in the creation of a CSIRT, including:

- *Handbook for Computer Security Incident Response Teams (CSIRTs)* provides updated guidance on generic issues to consider when forming a CSIRT;
- *State of the Practice of Computer Security Incident Response Teams*. This report includes information collected through a pilot survey of computer security incident response teams (CSIRTs), CERT/CC’s own experience, discussions with and observations of other CSIRTs, and research and reviews of the current literature on incident response; and

- *Creating a Computer Security Incident Response Team: A Process for Getting Started* is a document that describes the basic requirements for creating a CSIRT.

In addition, the United States Department of Defense (US DoD) has created a program of certification and accreditation of computer network defense service providers within the US DoD. This program can be used as a starting point for establishing criteria for the accreditation of National CSIRTs.

In establishing a regional network of cooperating National CSIRTs, a minimum set of standards and services would be expected. These would include:

- designation of responsibility by the National CSIRT's government;
- agreement to principles of information sharing among the cooperating teams;
- responsibility for receiving information from other National CSIRTs and disseminating that information to appropriate entities within the country;
- authorization to disseminate information to other National CSIRTs; and
- provide coordination assistance to other National CSIRTs for incidents and threats.

#### Trust Issues

Much of the information which CSIRTs need to exchange is proprietary or otherwise sensitive and there are few good models that promote the consistent sharing of information among CSIRTs. Trust – the essential ingredient in information sharing – when it exists, has developed among individuals who know and have worked with each other, rather than institutionally, among organizations. To establish trust, clear expectations on how information exchanged will be used or disseminated must be understood and followed by all parties. Principles of information sharing stating how information can be used or disseminated must be agreed to among all of the cooperating National CSIRTs.

Vulnerability disclosure policies outline under what circumstances and to whom vulnerability information is disseminated. These policies must balance the need to disseminate actionable information to appropriate audiences with the need to minimize the potential that intruders will obtain the information before patches or workarounds are available.

Some of the CSIRT attributes that are required to promote trust in communication and cooperation about sensitive security issues include:

- a secure infrastructure for managing sensitive information;
- the ability to communicate securely with stakeholders;
- the ability to marshal experts and decision makers;
- an infrastructure to support advance notification to select audiences;
- procedures to guard against information leakage;
- a well-known public interface for dissemination of critical information; and
- the ability to reach a large audience quickly.

Developing a regional CSIRT capability will require the development of a consensus on principles of information sharing including what information to share, with whom, and when.

#### Financing

CSIRT financing is not inexpensive. In addition to providing equipment and trained staff on a permanent basis, CSIRT administrators need to provide periodic technical assistance and develop regular exercises to keep their operations sharp. Member States and the Organization will have to carefully consider CSIRT funding mechanisms and may have to prioritize their coverage, or seek stable sources of outside funding.

It should be noted that in October 2002, APEC leaders called for the development of a regional 24/7 CSIRT capability by October 2003. Both APEC and the Government of Australia agreed to fund CSIRT capacity-building projects in four member economies. In their most recent report on the project, APEC officials admitted difficulties in attracting acceptable applicants and in raising adequate funds to cover the cost of the project.

#### Public Awareness

Government and industry support for CSIRT programs (and financing) is closely linked to public awareness of the cyber-security problem and its potential impact on highly desirable development goals. If systems in one networked economy are not adequately protected, then the networks and infrastructures of all the interconnected economies are vulnerable. Participants in a network, whether as developer, owner, operator, or individual user, must be aware of the threats to and vulnerabilities of the network and assume responsibility for protecting that network according to their position and role. The Organization, working with Member States and CSIRTS, should undertake a public awareness program regarding cyber-security and cyber-ethics that emphasizes (1) the benefits and responsibilities of using information networks; (2) safety and security best practices; and (3) the potential negative consequences resulting from the misuse of networks. There are a number of organizations and on-line sites with useful information for this purpose; the Organization should take advantage of them.

#### Extending the Network

Although public awareness is an essential element of this proposal, establishing a regional CSIRT capability will require developing political commitments where they may not exist. The working group should propose a draft resolution on cyber-security for approval by the Committee on Hemispheric Security and transmission to the General Assembly for their approval, which commits Member States to establish CSIRTs in their territories and to implement such other recommendations the group may make and the Committee may approve. This will harness the Member States' political will to achieve regional CSIRT coverage and provide the Organization with the institutional framework necessary to proceed. With this resolution in hand, the working group can assist individual states to develop specific plans and, assuming adequate funding, to develop capacity-building projects in the Member States. As of this moment, no state has offered to fund this project.

#### Course of Action

Action Item 1: Conduct a census to identify existing CSIRTS, their membership range, and the services they provide. This will allow us to identify coverage gaps, both geographically and

sectorially, and will lay the groundwork for establishing a consensus set of services which member CSIRTs will offer. A notional census questionnaire is attached.

Action Item 2: Establish a consensus for a minimum set of services that all member CSIRTs will offer. This will help shape a consistent, hemisphere-wide operating doctrine and provide the key for subsequent technical assistance activities.

Action Item 3: Draft a resolution for submission to the CHS and GA calling on Member States to create CSIRTs and implement the other proposals contained in the working group report. Of the 11 non-US CSIRTs that are members of the FIRST network, six are government-run, four are private sector, and one is run by a university.

Action Item 4: Produce a Best Practices compendium based on the consensus CSIRT services and standards, consistent with similar practices in Europe and Asia. These could include standards and protocols to undertake real-time monitoring and subsequent exchange of information throughout the network, and will become the basis of subsequent technical assistance and testing protocols.

Action Item 5: Establish a system of on-going technical assistance and information exchange for CSIRTs. Some countries will need capacity-building assistance or technical assistance to create an information protection coordination capacity or to improve existing capacities in order to meet the required standards. Financing will need to be secured.

Upon completion of Action Item 1, hold an Inter-American meeting of existing CSIRT representatives to move forward on the action items and on issues of information-sharing, identification of gaps in coverage and technical assistance, interoperability, and intercommunication. Representatives of the OAS Cyber-security Working Group would attend to provide policy input where necessary, and ensure that the issues outlined in this paper are addressed. Such a meeting would also be an important step in tackling the trust issue, and, as it would be at the technical level, would not be contingent upon GA action.

AG/RES. 2005 (XXXIV-O/04)

ADDRESSING EXTREME POVERTY, INEQUALITY, AND SOCIAL EXCLUSION  
AS A MEANS OF STRENGTHENING HEMISPHERIC SECURITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1); and

CONSIDERING:

That the "Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security" [AG/DEC. 27 (XXXII-O/02)] recognized that security threats, concerns, and other challenges in the hemispheric context are of diverse nature and multidimensional scope, and that the traditional concept and approach must be expanded to encompass new and nontraditional threats, which include political, economic, social, health, and environmental aspects;

That in the Declaration on Security in the Americas, adopted at the Special Conference on Security (Mexico City, October 27-28, 2003), the states of the Americas declared that their "new concept of security in the Hemisphere is multidimensional in scope, includes traditional and new threats, concerns, and other challenges to the security of the states of the Hemisphere, incorporates the priorities of each state, contributes to the consolidation of peace, integral development, and social justice, and is based on democratic values, respect for and promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty";

That in the same Declaration they recognized that "extreme poverty and social exclusion of broad sectors of the population ... also affect stability and democracy" and that "[e]xtreme poverty erodes social cohesion and undermines the security of states";

That, likewise, the states of the Americas undertook to strengthen cooperation mechanisms and actions to address extreme poverty, inequality, and social exclusion on an urgent basis; and they recognized that overcoming those unacceptable conditions is a primary task of the states of the Hemisphere, which requires continued commitment and actions to promote economic and social development, and education, and should be complemented with coordination, cooperation, and solidarity among states, and action by international financial institutions, including innovative financial mechanisms that emerge in the competent forums;

That they also reaffirmed their commitment to combating extreme poverty within their states by adopting and implementing actions in accordance with the Millennium Development Goals, the Monterrey Consensus, and the Declaration of Margarita, *inter alia*, promoting development through economic cooperation of the Hemisphere and fully utilizing national, regional, and international development agencies;

That cooperation mechanisms for addressing new threats, concerns, and other challenges to security, as in the case of extreme poverty, inequality, and social exclusion, may be different from the mechanisms for addressing traditional threats, as was recognized in the Declaration on Security in the Americas;

That the Inter-American Council for Integral Development (CIDI) and the Inter-American Development Bank (IDB) are the specialized inter-American forums that play a guiding role in hemispheric efforts to address poverty, inequality, and social exclusion in the region; and

That, in the Declaration of Santiago, adopted at the Fifth Conference of Ministers of Defense of the Americas (Santiago, Chile, November 18 to 22, 2002), the Ministers of Defense declared that, considering the relationship between economic growth and security, a greater commitment from the countries in the Hemisphere is required to create opportunities and eliminate structural barriers to economic and social development; that therefore the adoption of effective policies, such as the promotion of fair and equitable trade with a view to reducing poverty, shall significantly contribute to greater democratic stability and security in the Hemisphere; and that, at the same time, security in itself is an indispensable component for economic and social development,

RESOLVES:

1. To urge member states to implement, by means of domestic, subregional, hemispheric, and global measures, the commitments they made in the Declaration on Security in the Americas with regard to the fight against extreme poverty, inequality, and social exclusion.
2. To instruct the Permanent Council to include the topic “addressing extreme poverty, inequality, and social exclusion as a means of strengthening hemispheric security” on the agenda of the Committee on Hemispheric Security, for the purpose of examining, from a strategic point of view, the risks that the persistence of extreme poverty, inequality, and social exclusion in the region pose to hemispheric security.
3. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution by the pertinent organs, agencies, and entities of the inter-American system.

AG/RES. 2006 (XXXIV-O/04)

SPECIAL SECURITY CONCERNS OF THE SMALL ISLAND STATES  
OF THE CARIBBEAN

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the matters entrusted to the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1);

REITERATING that the security of small island states has peculiar characteristics which render these states specially vulnerable and susceptible to risks and threats of a multidimensional and transnational nature, involving political, economic, social, health, environmental, and geographic factors; and that multilateral cooperation is the most effective approach for responding to and managing the threats and concerns of small island states;

AWARE that the small island states remain deeply concerned about the possible threats posed to their economies and maritime environment should a ship transporting potentially hazardous material, including petroleum and radioactive material and toxic waste, have an accident or be the target of a terrorist attack while transiting the Caribbean Sea and other sea-lanes of communication in the Hemisphere;

MINDFUL of the potential negative impact of acts of terrorism on the stability and security of all states in the Hemisphere, particularly the small and vulnerable island states;

RECALLING its resolutions AG/RES. 1970 (XXXIII-O/03) and AG/RES. 1886 (XXXII-O/02), "Special Security Concerns of Small Island States of the Caribbean"; AG/RES. 1497 (XXVII-O/97), AG/RES. 1567 (XXVIII-O/98), AG/RES. 1640 (XXIX-O/99), and AG/RES. 1802 (XXXI-O/01), "Special Security Concerns of Small Island States"; and AG/RES. 1410 (XXVI-O/96), "Promotion of Security in the Small Island States";

RECALLING ALSO that the Ministers of Foreign Affairs and Heads of Delegation recognized, as stated in the Declaration of Bridgetown, that security threats, concerns, and other challenges in the hemispheric context are of diverse nature and multidimensional scope, and that the traditional concept and approach must be expanded to encompass new and nontraditional threats, which include political, economic, social, health, and environmental aspects;

RECOGNIZING that the Second High-Level Meeting on the Special Security Concerns of Small Island States, held in Kingstown, Saint Vincent and the Grenadines, in January 2003, reaffirmed that the political, economic, social, health, and environmental integrity and stability of small island states is integral to the security of the Hemisphere;

RECALLING FURTHER its endorsement, by resolution AG/RES. 1970 (XXXIII-O/03), of the recommendations of the said Second High-Level Meeting, as set out in the Declaration of Kingstown on the Security of Small Island States; and

NOTING WITH SATISFACTION that at the Special Conference on Security, held in Mexico City on October 27 and 28, 2003, member states addressed, in paragraphs 2 and 4 of the Declaration on Security in the Americas, the multidimensional scope of security and the new threats, concerns, and other challenges and, in paragraph 8 of that Declaration, called for "renewed and ongoing attention to, and the development of appropriate instruments and strategies within the inter-American system to address, the special security concerns of small island states, as reflected in the Declaration of Kingstown on the Security of Small Island States," and noting also paragraphs 43 and 44 of the Declaration on Security in the Americas,

RESOLVES:

1. To continue to strengthen and enhance the agenda of the Organization of American States and the inter-American security system by addressing hemispheric security issues in the context of the multidimensional nature of security.
2. To urge member states to continue to collaborate with the small island states with a view to developing effective ways of addressing the security issues of these small island states.
3. To instruct the Permanent Council to remain seized of the issues which impact the security of small island states, and, to this end, through its Committee on Hemispheric Security, to hold an annual meeting dedicated to the consideration of these issues, including the evaluation of progress made and the development of strategies for advancing implementation of the relevant resolutions of the General Assembly.
4. To request that, in support of the small island states' efforts to address their special security concerns, the Permanent Council, through the Committee on Hemispheric Security, coordinate with the appropriate organs, agencies, and entities of the inter-American system, and maintain the necessary liaison with other institutions and mechanisms related to the various aspects of security and defense in the Hemisphere and include in those consultations appropriate organs, agencies, and entities of CARICOM.
5. To request the relevant organs, agencies and entities of the inter-American system, including, in particular, the Inter-American Council for Integral Development (CIDI), the Inter-American Committee against Terrorism (CICTE), the Inter-American Committee on Ports (CIP), the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), and the Inter-American Committee for Natural Disaster Reduction (IACNDR), to support, within their areas of competence and programming, the continued efforts of the small island states to address their security concerns, particularly with respect to:
  - i. Completing the development of a virtual private network, through the identification of a virtual private network such as OASIS or other similar



existing networks, to facilitate regional sharing of criminal intelligence and other relevant databases in the fight against terrorism;

- ii. Providing technical assistance to the small island states for the development of an implementation plan for the “Security Management Model on Special Threats, Concerns, and Challenges of Small Island States,” adopted at the Second High-Level Meeting on the Special Security Concerns of Small Island States;
- iii. Improving their awareness and preparedness to combat and respond to acts of terrorism;
- iv. Assisting border control authorities in the small island states in accessing critical information; enhancing their border control systems and transportation security, including airports and seaport security; and strengthening their border control capacities.
- v. Developing training programs to enable existing security entities in the small island states to meet the new security threats, concerns, and challenges;
- vi. Strengthening the capacity of the small island states to fight against illicit trafficking in drugs and firearms; and
- vii. Developing proposals for strategic planning and cooperation and ways to deal with common threats.

6. To instruct the Permanent Council and the General Secretariat, as the case may be, to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

7. To request the Permanent Council and the Secretary General to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2007 (XXXIV-O/04)

DISARMAMENT AND NONPROLIFERATION EDUCATION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular, the section on the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1);

BEARING IN MIND the determination of the international community to promote and adopt specific measures to promote a culture of peace and nonviolence in all countries of the world and the significant contribution that disarmament and nonproliferation education may make in adopting such measures;

TAKING INTO ACCOUNT resolution 57/60, adopted on December 30, 2002, by the United Nations General Assembly, which welcomed the United Nations Study on Disarmament and Non-Proliferation Education, prepared by the United Nations Secretary-General with the assistance of governmental experts, and taking note of the recommendations contained therein;

RECOGNIZING the valuable contribution of the said United Nations study to world efforts to promote a culture of nonviolence and peace among states;

RECALLING that some of the recommendations of that study are directed at regional organizations, and that the Organization of American States can make a significant contribution to the implementation of these recommendations by promoting disarmament and nonproliferation education activities in the Hemisphere; and

BEARING IN MIND the statement contained in the Declaration on Security in the Americas about the role of education for peace in the Hemisphere,

RESOLVES:

1. To take note of the United Nations Study on Disarmament and Non-Proliferation Education, prepared by the United Nations Secretary-General with the assistance of governmental experts.
2. To invite the member states to give consideration to the recommendations contained in the aforementioned United Nations study in order to strengthen education and training for disarmament and nonproliferation.
3. To request the Secretary General to transmit this resolution to the United Nations Secretary-General.

**Commented [KL5]:** Unable to check this, as could only locate the title of the resolution, not its text. KRL

**Commented [KL6]:** Actual title of resolution A/RES/57/60. See <http://www.un.org/Depts/dhl/resguide/r57.htm> For clarification of the capitalization, see <http://www.un.org/News/Press/docs/2002/ga10105.doc.htm> KRL

AG/RES. 2008 (XXXIV-O/04)

INTER-AMERICAN SUPPORT FOR THE COMPREHENSIVE  
NUCLEAR-TEST-BAN TREATY<sup>1/</sup>

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the Committee on Hemispheric Security (AG/doc.4265/04 add. 5 corr. 1);

RECALLING resolutions AG/RES. 1747 (XXX-O/00), AG/RES. 1791 (XXXI-O/01), AG/RES. 1876 (XXXII-O/02), and AG/RES. 1938 (XXXIII-O/03), "Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty";

RECOGNIZING that the establishment of nuclear-weapon-free zones is an effective and concrete mechanism which contributes to the maintenance of international peace and security;

BEARING IN MIND:

That, in operative paragraph 4 of resolution AG/RES. 1937 (XXXIII-O/03), "Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)," the General Assembly reaffirms "its commitment to continue striving for a nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect"; and

The commitment by member states to undertake effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, in accordance with Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

RECOGNIZING the value of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in strengthening the nuclear nonproliferation and nuclear disarmament regimes and its contribution to the consolidation and maintenance of international peace and security;

REAFFIRMING the need for universal adoption of the CTBT, negotiated within the United Nations framework;

- 
1. The United States does not support the CTBT and will not become a party to it. The United States will continue to work, as appropriate, with working groups of the CTBTO PrepCom and with its Provisional Technical Secretariat on the International Monitoring Systems (IMS) and IMS-related activities. The United States continues to observe its nuclear testing moratorium and has no plans to conduct a nuclear explosive test. The United States' stockpile stewardship program continues to ensure the safety and reliability of US nuclear weapons.

NOTING that the CTBT has, thus far, been signed by 29 member states of the OAS and ratified by 21 of them; and, in particular, that it has now been ratified by six of the eight states of the region whose ratification is required for the Treaty to enter into force; and

RECALLING:

That in the Declaration on Security in the Americas the states of the Hemisphere reaffirmed their commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction; and

The Final Declaration of the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), held in Vienna, Austria, from September 3 to 5, 2003, with the participation of 107 states,

RESOLVES:

1. To urge the states of the Hemisphere to implement the “Measures to Promote the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT),” adopted at the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), held in Vienna, Austria, from September 3 to 5, 2003.

2. To urge those states of the Hemisphere that have not yet done so, in particular the states listed in Annex 2 to the Treaty, to sign and/or ratify the CTBT, as appropriate, so that it may enter into force as soon as possible.

3. To urge the states of the Hemisphere to refrain, until the Treaty comes into force, from contravening the spirit of the obligations set forth therein, and to maintain, in particular, the moratorium on all kinds of nuclear tests, in accordance with the commitments undertaken during the sixth Nuclear Non-Proliferation Treaty (NPT) Review Conference, held in 2000.

4. To invite all states of the Hemisphere that have International Monitoring System facilities to take the appropriate measures to facilitate the preparatory work for the CTBT’s verification regime, which is to be operational when the Treaty enters into force.

5. To entrust the Permanent Council with holding, through its Committee on Hemispheric Security, a special meeting, in 2005, on a worldwide comprehensive nuclear test ban, with the participation of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) and of the United Nations, the Preparatory Commission for the CTBT Organization, and other international institutions with competence in this area.

6. To instruct the Permanent Council to carry out the activities mentioned in this resolution in accordance with the resources allocated in the program-budget of the Organization and other resources.

7. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

8. To request the Secretary General to transmit this resolution to the Secretary-General of the United Nations and to the Executive Secretary of the Preparatory Commission for the CTBT Organization.

AG/RES. 2009 (XXXIV-O/04)

CONSOLIDATION OF THE REGIME ESTABLISHED IN THE TREATY FOR THE  
PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN  
(TREATY OF TLATELOLCO)

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the Committee on Hemispheric Security (AG/doc.4265/04 add. 1 corr. 1);

RECALLING its previous resolutions on this topic, especially resolutions AG/RES. 1499 (XXVII-O/97), AG/RES. 1571 (XXVIII-O/98), AG/RES. 1622 (XXIX-O/99), AG/RES. 1748 (XXX-O/00), AG/RES. 1798 (XXXI-O/01), AG/RES. 1903 (XXXII-O/02), and AG/RES. 1937 (XXXIII-O/03);

NOTING WITH SATISFACTION the statement issued by the states of the Hemisphere in the Declaration on Security in the Americas, in which they affirmed that the establishment of the first nuclear-weapons-free zone in a densely populated area through the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the protocols thereto constitutes a substantial contribution to international peace, security, and stability;

TAKING NOTE OF:

The Havana Declaration, issued at the Eighteenth Regular Session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), held in Havana, Cuba, on November 5 and 6, 2003; and

OPANAL's initiative of holding an international meeting of states parties and states signatories to the treaties establishing nuclear-weapon-free zones, in support of the common objectives established in those treaties and for examination of possible forms and means of cooperation;

CONVINCED:

That the creation of nuclear-weapon-free zones that comply with international criteria is an important step that significantly strengthens all aspects of the international nonproliferation regime, thus contributing to the maintenance of international peace and security; and

That, as stated in the preamble to the Treaty of Tlatelolco, militarily denuclearized zones are not an end in themselves, but rather a means for achieving general and complete disarmament at a later stage;

RECOGNIZING that the Treaty of Tlatelolco has become the model for the establishment of other nuclear-weapon-free zones in various regions of the world, such as the South Pacific (Treaty of Rarotonga), Southeast Asia (Treaty of Bangkok), and Africa (Treaty of Pelindaba), which, when they enter into force, will cover more than half the countries of the world and all territories in the Southern Hemisphere; and

REAFFIRMING that the establishment of the nuclear-weapon-free zone enshrined in the Treaty of Tlatelolco is a firm demonstration of the Latin American and Caribbean commitment to the cause of complete and verifiable nuclear disarmament and nuclear nonproliferation, in keeping with the purposes and principles of the Charter of the United Nations,

RESOLVES:

1. To urge those states of the region that have not yet done so to sign or ratify the amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), adopted by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in resolutions 267 (E-V), 268 (XII), and 290 (E-VII).

2. To reaffirm the importance of strengthening OPANAL as the appropriate legal and political forum for ensuring unqualified observance of the Treaty of Tlatelolco in its zone of application and for promoting cooperation with the agencies of other nuclear-weapon-free zones.

3. To call on those states that have not yet done so to negotiate and implement, as soon as possible, comprehensive agreements with the International Atomic Energy Agency (IAEA), as well as the Model Protocol Additional to the Agreements between States and the IAEA, for application of the Agency's safeguards to their nuclear activities, as stipulated in Article 13 of the Treaty of Tlatelolco.

4. To reaffirm its commitment to continue striving for a disarmament and nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect.

5. To urge OPANAL, in its area of competence, to maintain appropriate ties or contact with the OAS Committee on Hemispheric Security and report to it periodically on the fulfillment of the commitments undertaken by the states of the region in the Declaration on Security in the Americas as they pertain to nonproliferation of nuclear weapons.

6. To entrust the Permanent Council with holding, in the framework of the Committee on Hemispheric Security, a meeting on consolidation of the regime established in the Treaty of Tlatelolco, with the support of OPANAL and the participation of the United Nations and other international organizations competent in the area.

7. To recognize the work of OPANAL in ensuring compliance with the obligations undertaken in the Treaty of Tlatelolco.

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8. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

9. To request the Secretary General to transmit this resolution to the Secretary-General of the United Nations and to the Secretary General of OPANAL.



AG/RES. 2010 (XXXIV-O/04)

AMENDMENTS TO THE STATUTE OF THE  
INTER-AMERICAN COMMITTEE AGAINST TERRORISM

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4332/04) on the Annual Report of the Inter-American Committee against Terrorism to the General Assembly (CICTE) (CP/doc.3859/04);

RECALLING that the CICTE Statute was adopted by the General Assembly, at its twenty-ninth regular session, by resolution AG/RES. 1650 (XXIX-O/99); and

That Article 23 of said Statute states that “[t]his Statute, when approved by the General Assembly, may be amended only by that body”; and

CONSIDERING:

That, by resolution CICTE/RES.1/03 rev. 2, CICTE agreed at its third regular session (San Salvador, El Salvador, January 2003) on the advisability of revising the Statute and the Rules of Procedure of CICTE; and

That, at its fourth regular session (Montevideo, Uruguay, January 2004), CICTE decided to submit the proposed amendments to the Statute, contained in document CICTE/doc.7/04 rev. 1, to the General Assembly at its thirty-fourth regular session for consideration,

RESOLVES:

To adopt the Statute of the Inter-American Committee against Terrorism (CICTE) attached to this resolution.

STATUTE OF  
THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM (CICTE)

Chapter I  
NATURE, PRINCIPLES, AND PURPOSES

Article 1. The Inter-American Committee against Terrorism, hereinafter “CICTE,” is an entity of the Organization of American States (OAS) established by the General Assembly in conformity with Article 53 of the OAS Charter.

The main purpose of CICTE is to promote and develop cooperation among member states to prevent, combat, and eliminate terrorism, in accordance with the principles of the OAS Charter and with the Inter-American Convention against Terrorism, and with full respect for the sovereignty of states, the rule of law, and international law, including international humanitarian law, international human rights law, and international refugee law.

CICTE enjoys technical autonomy in the exercise of its functions, within the limits set by the OAS Charter, its own Statute and Rules of Procedure, and the mandates adopted by the General Assembly.

CICTE exercises its functions in the framework of the Declaration of Lima to Prevent, Combat, and Eliminate Terrorism (hereinafter “Declaration of Lima”); the Plan of Action on Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism (hereinafter “Plan of Action of Lima”); the Commitment of Mar del Plata; and the other declarations adopted in the framework of CICTE.

Article 2. The functions of CICTE are civilian in nature and shall be governed by the OAS Charter, this Statute, and its Rules of Procedure, by decisions of the General Assembly, and by its own decisions.

Nothing in this Statute entitles a member state to undertake in the territory of another member state the exercise of jurisdiction or performance of functions that are exclusively reserved to the authorities of that other member state by its domestic law.

Chapter II  
COMPOSITION

Article 3. CICTE shall be composed of all member states of the OAS.

Article 4. Each of the member states of the Organization shall designate the competent national authorities, principal representative, alternate representatives, and advisors that it deems appropriate to represent it before CICTE.

Article 5. The member states of the Organization shall inform the Secretary General of the OAS of the appointments referred to in Article 4 of this Statute and of any change in the composition of their representation.

Chapter III  
NATIONAL POINTS OF CONTACT

Article 6. The member states shall appoint one or more National Point(s) of Contact with competence in the field of prevention and elimination of terrorism. The National Point of Contact is the principal liaison among governments of the member states for developing cooperation between them and CICTE.

CICTE shall channel all its communications to member states through the National Point of Contact established for that purpose.

Chapter IV  
CHAIR AND VICE CHAIR

Article 7. CICTE shall have a chair and a vice chair, elected from among the member states. Their terms of office shall last one year from the time they assume their functions until the date their elected replacements take up their duties.

Article 8. The chair and the vice chair shall be elected by the vote of a majority of member states present at the CICTE meeting convened for that purpose. If the voting does not produce a majority and it is necessary to take more than one ballot, those candidates receiving the least number of votes in each successive ballot shall be eliminated until one of the remaining candidates obtains a majority. The ballot shall be secret. These elections may also be carried out by consensus.

Article 9. The chair shall exercise its functions in accordance with the CICTE Statute and its Rules of Procedure.

Article 10. The member state elected chair or vice chair shall appoint an official to serve in this capacity. If the state chairing or vice chairing CICTE for any reason decides to replace its official while that person is serving as chair or vice chair of CICTE, the newly appointed official shall serve in this capacity until the end of the respective term.

If the member state serving as chair or vice chair of CICTE resigns, the Committee shall hold special elections to fill the position so vacated.

Article 11. The chair may delegate to the vice chair such functions as it deems appropriate, as stipulated in the Rules of Procedure.

Chapter V  
FUNCTIONS

Article 12. CICTE shall be governed in its responsibilities and its functions by the provisions of the OAS Charter, by this Statute and its Rules of Procedure, by decisions of the General Assembly, and by its own decisions.

Accordingly, CICTE shall conduct its work on the basis of inter-American and international conventions on this matter, in particular the Inter-American Convention against Terrorism; the principles and objectives of the declarations, resolutions, and work plans adopted by CICTE; and United Nations Security Council resolution 1373 (2001).

Article 13. CICTE shall also have the following functions:

- a. To promote the development of cooperation among member states to prevent, combat, and eliminate terrorism;
- b. To establish a framework for technical cooperation that takes into account the suggested guidelines set forth in Appendices I, II, and III to the Commitment of Mar del Plata;
- c. To encourage and develop the actions contemplated in the Inter-American Convention against Terrorism and other international counterterrorism treaties, and declarations, resolutions, and recommendations approved by CICTE;
- d. To provide assistance to member states requesting it, in order to prevent, combat, and eliminate terrorism;
- e. To promote, in accordance with the domestic laws of the member states, the exchange of information and experiences on effective ways and means to prevent, detect, investigate, and punish terrorism, and on the activities of persons, groups, organizations, and movements linked to terrorist acts, as well as the methods, sources of finance, and entities directly or indirectly protecting or supporting them, and their possible links to other crimes;
- f. To coordinate its work with other pertinent inter-American organs and forums with a view to ensuring the development of integrated responses to terrorism and to carrying out complementary efforts to prevent and fight terrorism and prosecute those responsible, ensuring the guarantees of due process in accordance with national law;
- g. CICTE will work with member states, in consultation with the Inter-American Commission on Human Rights (IACHR), in order to promote respect for international law, including international human rights law, international humanitarian law, and refugee law, in actions undertaken by member states to prevent, combat, and eliminate terrorism;

- h. To establish, with the concurrence of the member states, mechanisms for coordination with other competent international entities in the matter, such as the Counter-Terrorism Committee (CTC) of the United Nations Security Council, the United Nations Security Council Committee established by resolution 1267 (1999), and the International Financial Action Task Force (FATF);
- i. To present to the General Assembly an annual report through the Permanent Council and such special reports as it may deem appropriate; and
- j. To carry out the mandates assigned to it by the General Assembly.

#### Chapter VI QUORUM AND VOTING

Article 14. The quorum for meetings of the Committee, committees, subcommittees, and working groups shall be one third of the representatives of the member states making up those bodies. The quorum for adopting decisions shall be a majority of the representatives of the member states making up those bodies.

Article 15. Each member state of CICTE shall have the right to one vote. In the absence of a consensus, it shall take decisions by the vote of a simple majority of the member states present, except when the General Assembly disposes otherwise.

#### Chapter VII THE SECRETARIAT

Article 16. The OAS Secretary General shall establish a Secretariat to furnish CICTE with technical and administrative support and shall appoint to that Secretariat the technical and administrative staff to provide those services.

The OAS Secretary General shall appoint the Secretary of CICTE in a position of trust. He or she shall fulfill the functions of that position in accordance with the CICTE Statute and Rules of Procedure and with such mandates as the General Assembly and CICTE itself may adopt.

Article 17. Among its other duties, the CICTE Secretariat shall:

- a. Serve as secretariat during sessions of CICTE;
- b. Cooperate in preparing the reports that CICTE is to present to the General Assembly through the Permanent Council, and in any tasks that CICTE entrusts to it;
- c. Transmit the decisions of CICTE to the Secretary General, so that they may be forwarded to the governments of the member states through their permanent missions;

- d. Provide technical and administrative support for the activities of CICTE;
- e. Prepare cooperation programs and projects in accordance with the Work Plan approved by CICTE, including cost estimates;
- f. Propose cooperation programs to CICTE within the framework of the CICTE Work Plan for their approval and, when appropriate, discuss them with the National Points of Contact;
- g. Prepare an annual draft CICTE Work Plan taking into account member states' counterterrorism needs, seeking to match them with available resources;
- h. Present an annual report to CICTE on the Secretariat's activities under the CICTE Work Plan and on its budget year;
- i. Maintain direct and constant coordination with the permanent representatives of member states to the OAS, the principal representatives accredited to CICTE by the member states, and the National Points of Contact in CICTE; and
- j. Follow up on the decisions of the General Assembly.

#### Chapter VIII HEADQUARTERS AND MEETINGS

Article 18. The headquarters of CICTE shall be that of the General Secretariat of the Organization of American States.

Article 19. CICTE shall hold one regular session each year. In special circumstances, at the initiative of the General Assembly or the Meeting of Consultation of Ministers of Foreign Affairs, or upon the recommendation of the Permanent Council of the Organization, CICTE may hold a special session to consider urgent matters.

The OAS Secretary General shall immediately convene member states to any special session of CICTE. The chair of CICTE shall establish the date and the place of the special session, subject to the availability of resources.

Article 20. CICTE may establish such committees, subcommittees, and working groups as it deems necessary to facilitate its work, in accordance with the provisions of this Statute and the Rules of Procedure.

Any member state of the Organization may invite CICTE to meet in its territory. CICTE shall decide whether to accept invitations to meet away from headquarters, and the host country shall bear any additional costs arising from meeting away from headquarters.

Article 21. Each member state shall be responsible for the costs of its delegation's participation in CICTE sessions.

Article 22. The OAS General Secretariat shall provide support to any CICTE session, based on the cost of holding that session in the facilities of the General Secretariat in Washington, D.C.

Article 23. CICTE shall establish rules for the participation of permanent observers to the Organization, pursuant to Permanent Council resolution CP/RES. 407 (573/84).

Article 24. CICTE shall establish rules for the participation of civil society organizations in its sessions and meetings, pursuant to Permanent Council resolution CP/RES. 759 (1217/99).

Chapter IX  
BUDGET AND FINANCES

Article 25. The CICTE budget shall be financed from the resources approved in the program-budget of the Organization and from voluntary contributions deposited in the specific funds and trust funds allocated to CICTE.

Article 26. CICTE shall make every effort to obtain funding through the establishment of specific and trust funds that may be required, pursuant to Articles 73 and 74 of the General Standards to Govern the Operations of the General Secretariat.

Chapter X  
STATUTE AND RULES OF PROCEDURE

Article 27. Any amendment to this Statute must be adopted by the General Assembly. CICTE may propose to the General Assembly such amendments as it deems appropriate.

Article 28. CICTE shall approve and amend its Rules of Procedure in conformity with this Statute, and shall so notify the General Assembly in its annual report.

Article 29. This Statute shall enter into force on the date of its adoption by the General Assembly.

AG/RES. 2011 (XXXIV-O/04)

INTEGRATING A GENDER PERSPECTIVE INTO THE SUMMITS OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT that the Summits of the Americas have progressively acknowledged the need to strengthen the role of women in all aspects of political, social, and economic life, with its most manifest expression being that of the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, which solidified the member states' commitment to the promotion of women's human rights and gender equality as, "central to the reduction of poverty, the promotion of economic and social prosperity, people-centered sustainable development, consolidation of democracy and conflict resolution and the development of equal partnerships between women and men";

CONSIDERING that the 2004 Declaration of Nuevo León, adopted at the Special Summit of the Americas, held to address the current economic, social, and political challenges in the region, not only reiterated the commitment to gender equality and all previous Summit mandates on the aforementioned issue, but also acknowledged, as essential to social development, the challenge and importance of undertaking "coordinated and integrated economic and social policies ... for success in combating inequality of opportunity and marginalization";

NOTING WITH SATISFACTION that both the Second and the Third Summit of the Americas refer specifically to the need to strengthen national machineries and other government bodies responsible for the advancement of gender equality and for the promotion and protection of the human rights of women and provide them with the necessary human and financial resources for integrating gender into all policies, projects, and programs;

RECOGNIZING that the Inter-American Commission of Women (CIM), as the Hemisphere's primary policymaking body on women's human rights and gender equality, has publicly highlighted gender disparities across social, economic, and political realms;

RECALLING the resolutions approved by the First Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States: CAM/MINIS/RES. 1 (I-O/00), "Approval and Implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality," and CAM/MINIS/RES. 3 (I-O/00), "Integrating a Gender Perspective in the Summits of the Americas," both of which ask the General Secretariat to integrate a gender perspective "into all work, projects, and programs of the organs, agencies, and entities of the OAS";

CONSIDERING the political and strategic relevance of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), adopted by the General Assembly at its thirtieth regular session by resolution AG/RES. 1732 (XXX-O/00) and endorsed by the Heads of State and Government at the Third Summit of the Americas;



CONSIDERING ALSO that one of the fundamental objectives of the IAP is “to systematically integrate a gender perspective in all organs, organizations, and entities of the inter-American system” and that all policies, programs, or strategies to be created or reviewed should reflect an integral commitment and adherence to the observance of women's human rights and gender equality in all spheres of public and private life;

TAKING INTO ACCOUNT the recommendations proposed to the respective ministries in the three follow-up reports, in the areas of labor (SEPIA-I), justice (SEPIA-II), and education (SEPIA-III), drawn up by the CIM and government-appointed gender experts for implementation of the IAP, as well as the need to fully integrate a gender perspective as a crosscutting issue into the agendas and outcomes of all inter-American ministerial-level meetings and in the thematic committees related to the mandates of the Summits process;

RECALLING resolutions AG/RES. 1880 (XXXII-O/02) and AG/RES. 1908 (XXXII-O/02), which called for a multidimensional focus on hemispheric security and the Declaration on Security in the Americas (Mexico City, 2003), which "reaffirms the importance of enhancing the participation of women in all efforts to promote peace and security ... and to integrate a gender perspective in all policies, programs, and activities of all inter-American organs, agencies, entities, conferences, and processes that deal with matters of hemispheric security";

RECALLING ALSO the Strategic Plan for Partnership for Development 2002-2005, approved by the Inter-American Council for Integral Development (CIDI) and adopted by resolution AG/RES. 1855 (XXXII-O/02), which identifies “women’s empowerment, their full and equal participation in the development of our societies, and the equal opportunities afforded them to exercise leadership” as “central to integral development and the elimination of the broad range of inequalities” and calls upon all programs, projects, and activities to integrate gender as a crosscutting theme;

REAFFIRMING the importance of fostering collaborative partnerships with civil society organizations that can further contribute to the activities of the OAS and of the organs, agencies, and entities of the inter-American system through cooperative actions that continue to advance gender equality both within the Summits process and at national levels; and

TAKING INTO ACCOUNT the great advances made in the Plan of Action of the Third Summit of the Americas, held in Quebec City, which, while it recognized the need to continue to focus attention on women as one of a number of vulnerable groups, also recognized gender equality as a pressing social and economic issue central to the achievement of all other development goals,

RESOLVES:

1. To entrust the Secretariat for the Summit Process with working in coordination with the Inter-American Commission of Women (CIM) to ensure that the objectives of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality are included in the preparatory meetings for the Fourth Summit of the Americas, which will take place in Argentina, as well as all inter-American ministerial meetings to be held beforehand, in order to ensure that a gender perspective is included as an integral component of the agendas, working papers,

strategies, themes, and outcomes, and that gender is recognized as an integral component of all proposed policies, programs, and initiatives.

2. To encourage governments to provide greater financial support for institutions and mechanisms that promote a gender perspective and contribute to the full and equal participation of women and men in their respective countries, by providing them with the necessary human and financial resources for integrating gender into all policies, programs, and projects as a means of reducing poverty and social inequalities while advancing democracy and sustainable development.

3. To urge member states to continue to support and encourage civil society participation and collaboration in all OAS activities preceding the Fourth Summit of the Americas, so that they may contribute to the development of effective, practical, and coordinated solutions to the challenges of gender equity and equality and the integration of a gender perspective.

4. To request the General Secretariat and the CIM to broadly distribute this resolution to all organs, agencies, and entities of the inter-American system so that it may be taken into account at all preparatory meetings for the Fourth Summit of the Americas and in the drafting and implementation of its Declaration and Plan of Action.

AG/RES. 2012 (XXXIV-O/04)

VIOLENCE AGAINST WOMEN  
INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT, AND  
ERADICATION OF VIOLENCE AGAINST WOMEN, "CONVENTION OF BELÉM DO PARÁ"

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

REAFFIRMING that discrimination on the basis of sex is contrary to the Charter of the Organization of American States, the Inter-American Democratic Charter, the Convention on the Elimination of All Forms of Discrimination Against Women and the Optional Protocol thereto, the Declaration of the Vienna World Conference on Human Rights, and the Beijing Declaration and Platform for Action, and that its elimination is an integral part of the efforts to eliminate violence against women;

BEARING IN MIND that the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará," adopted in 1994, declared that violence against women is a violation of their human rights and that its elimination is essential for their individual and social development and their full and equal participation in all walks of life;

NOTING that to date 31 member states have ratified the Convention of Belém do Pará, thereby demonstrating their absolute rejection of and concern over any act of violence against women, and reflecting their commitment to achieve the objectives of the Convention and to fulfill the obligations undertaken by them;

RECALLING that, in compliance with resolution AG/RES. 1456 (XXVII-O/97), "Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 'Convention of Belém do Pará,' " the Inter-American Commission of Women (CIM) presented to the General Assembly at its twenty-ninth, thirty-first, and thirty-third regular sessions biennial reports on progress achieved in implementation of the Convention and on the experiences and results obtained through initiatives and programs carried out in member states to combat violence against women;

EMPHASIZING that, upon receipt of the CIM's first and second biennial reports on violence, the General Assembly, in its resolutions AG/RES. 1626 (XXIX-O/99) and AG/RES. 1768 (XXXI-O/01), expressed its continued support for the work accomplished by the Commission and the member states in promoting the Convention and pursuing its objectives;

FURTHER RECALLING that resolution CIM/RES. 224 (XXXI-O/02), "Follow-up of the Convention of Belém do Pará," adopted by the Thirty-first Assembly of Delegates of the CIM, urged all member states to ratify that Convention, recommended specific measures to prevent and address all forms of violence against women and the allocation of the necessary resources to prevent, punish, and eradicate gender-based violence, and requested a group of experts from the member states party

and those not party to the Convention as well as representatives of civil society to make recommendations on the most appropriate way to follow up on the Convention, based on the document prepared by the CIM, so that the Secretary General may convene a meeting of states parties to the Convention, to which the Inter-American Commission on Human Rights and member states not party to the Convention will also be invited, in order to adopt a decision on the most appropriate way to follow up on the Convention;

TAKING INTO ACCOUNT that resolution AG/RES. 1942 (XXXIII-O/03), on the third biennial report, emphasized the need to adopt the most appropriate and effective way to follow up on the Convention of Belém do Pará and requested the General Secretariat to provide the necessary support for the meeting of experts that will consider the document prepared by the CIM pursuant to resolution CIM/RES. 224 (XXXI-O/02);

BEARING IN MIND that the Government of Mexico has offered to host the meeting of experts, which will take place on July 20 and 21, 2004, in order to analyze the document prepared by the CIM as well as other contributions and proposals, with a view to making recommendations on the most appropriate way to follow up on the Convention of Belém do Pará;

CONSIDERING that the Declarations and Plans of Action of the Summits of the Americas have shown a keen interest in the issue and especially in the implementation and follow-up of the Convention;

TAKING INTO ACCOUNT that resolution CIM/REMIM-II/RES. 6/04, adopted at the Second Meeting of Ministers or Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM-II), held in Washington, D.C., in April 2004, urged all the member states that had not yet done so to ratify regional human rights instruments, especially the Convention of Belém do Para, as a demonstration of their commitment to, respect for, and promotion and advancement of the protection of women's human rights; and

EMPHASIZING that a mechanism for monitoring and analyzing the manner in which these advances are being implemented and for facilitating cooperation among states parties and with OAS member states, would contribute to achieving the objectives of the Convention,

RESOLVES:

1. To commend the Inter-American Commission of Women (CIM) for the work it has accomplished over more than seven decades dedicated to strengthening women's rights and, achieving gender equity and equality, and in particular for its efforts to eliminate all forms of violence against women.

2. To encourage member states that have not yet done so to ratify regional human rights instruments and in particular the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará," as a demonstration of their commitment to, respect for, and promotion and advancement of the protection of women's human rights.

3. To urge the states parties, as well as states not party to the Convention, to participate actively in the meeting of experts that will analyze the most appropriate manner to create a follow-up mechanism to the Convention of Belém do Pará, to be held in Mexico City on July 20 and 21, 2004.

4. To urge member states to continue supporting the efforts of the CIM in the process of creating and implementing a mechanism for follow-up on implementation of the Convention, and to continue working collaboratively to prevent, punish, and eradicate all forms of violence against women, in both the public and private spheres.

5. To encourage the states parties to the Convention to set the Thirty-second Assembly of Delegates of the CIM as the deadline for a decision on the recommendations of the meeting of experts on the adoption of a follow-up mechanism to the Convention of Belém do Pará, which will be submitted to the Conference of States Parties, pursuant to resolution CIM/RES. 224 (XXXI-O/02).

6. To recommend to member states that they take concrete steps to ensure the effective enforcement of national legislation, consistent with the ratified regional and international conventions on the elimination of discrimination and violence against women, in particular the Convention of Belém do Pará, and that they take coordinated action to ensure a culture of respect for human rights for everyone.

7. To encourage member states to allocate more human and financial resources to national and regional budgets to assist victims of violence and to prevent, punish, and eradicate all forms of violence against women.

8. To urge the Secretary General to allocate more human, technical, and financial resources to enable the CIM to continue its efforts to ensure full implementation of the Convention of Belém do Pará and its efforts to promote initiatives to eliminate violence against women.

9. To request the CIM Permanent Secretariat to include a special section on the implementation of this resolution in the biennial report on violence to be presented to the General Assembly at its thirty-fifth regular session.

AG/RES. 2013 (XXXIV-O/04)

PROMOTION OF CORPORATE SOCIAL RESPONSIBILITY IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 2), in particular as it pertains to the report on the promotion of corporate social responsibility in the Hemisphere;

RECALLING that, by resolution AG/RES. 1953 (XXXIII-O/03), "Promotion of Corporate Social Responsibility in the Hemisphere," the General Assembly requested the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to "[u]ndertake jointly to foster the exchange of experience and information among member states and the different organs, agencies, and entities of the OAS, in close collaboration with the Trade Unit of the OAS General Secretariat, the Secretariat for the Summit Process, and the Inter-American Agency for Cooperation and Development, in order to coordinate and strengthen cooperation activities in the area of corporate social responsibility";

BEARING IN MIND that the Plan of Action of the Third Summit of the Americas supported "the continued analysis and consideration in the OAS of corporate social responsibility" and the discussion of "ways to promote the development, adoption and implementation by the business community of principles of good conduct that will advance corporate social and environmental responsibility";

BEARING IN MIND ALSO the commitment in the Declaration of Nuevo León to "redouble our efforts to improve the investment climate in our countries and promote corporate social responsibility";

RECOGNIZING that businesses play a central role in the creation of prosperity and the flow and maintenance of trade and investment in the Hemisphere and that they can make important contributions to sustainable development and increase access to opportunities, which can include reducing inequality in the communities in which they operate;

TAKING INTO CONSIDERATION the increasing expectations on the part of our citizens that businesses will conduct their operations in a manner consistent with their social responsibilities;

MINDFUL that attention to corporate social responsibility is increasing worldwide and, in particular in the Hemisphere, and that the concept is being addressed in various multilateral forums; and

RECOGNIZING the crosscutting nature of corporate social responsibility and its ties with issues under the responsibility of a variety of organs, agencies, and entities of the OAS and the work currently being carried out by the General Secretariat on this issue,

RESOLVES:

1. To congratulate the organizers, sponsors, and participants on the success of the “Inter-American Conference on Corporate Social Responsibility, Corporate Social Responsibility as a Tool for Competitiveness,” hosted by the Inter-American Development Bank (IDB), with the support of the Government of Panama, through the Ministry of Economy and Finance; the United Nations Development Programme, Panama; the World Bank; the Inter-American Investment Corporation; and the Government of the United States of America through its Inter-American Foundation, which was held in Panama City, Panama, from October 26 to 28, 2003, with the participation of over 500 representatives of OAS member state governments and civil society, including business and labor groups, in support of the Plan of Action of the Third Summit of the Americas.

2. To welcome the sponsorship by the Government of Mexico, with the support of the IDB, of the “Conference on Corporate Social Responsibility in the Americas: Deeds not Words,” to be held in Mexico City, from September 26 to 28, 2004.

3. To request the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to:

- a. Ensure that proper follow-up is given to the above-mentioned conferences in the OAS context, in keeping with the Plan of Action of the Third Summit of the Americas;
- b. Consider convening a joint meeting, with the support of the General Secretariat, to discuss recent development in the area of corporate social responsibility, including its impact on the socioeconomic development of the region and the role of the OAS within this context; and to encourage member states, should they see fit, to report at this opportunity on progress in this area within their countries;
- c. Undertake jointly to foster the exchange of experience and information among member states and the different organs, agencies, and entities of the OAS, in close collaboration with the Trade Unit of the General Secretariat, the Secretariat for the Summit Process, and the Inter-American Agency for Cooperation and Development, in order to coordinate and strengthen cooperation activities in the area of corporate social responsibility; and
- d. Invite representatives of the Inter-American Development Bank to report to the Permanent Council on the preparations and outcomes of the upcoming “Conference on Corporate Social Responsibility in the Americas: Deeds, not Words,” to be held in Mexico City, and encourage the General Secretariat to participate in the event.

4. To encourage member states, insofar as possible, to inform their private sector, business associations, unions, academic institutions, and civil society organizations about the upcoming “Conference on Corporate Social Responsibility in the Americas: Deeds not Words,” in Mexico City, and to promote their participation and that of experts and officials.

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5. To instruct the General Secretariat to carry out the activities mentioned in this resolution within the resources allocated in the program-budget of the Organization and other resources.

6. To instruct the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



AG/RES. 2014 (XXXIV-O/04)

TRADE AND INTEGRATION IN THE AMERICAS<sup>1/</sup>

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on the ninth regular meeting of the Inter-American Council for Integral Development (CIDI) (AG/doc.4331/04), in particular as it pertains to the report of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to the General Assembly in compliance with resolution AG/RES. 1973 (XXXIII-O/03), "Trade and Integration in the Americas";

RECALLING resolutions AG/RES. 1973 (XXXIII-O/03), AG/RES. 1861 (XXXII-O/02), AG/RES. 1813 (XXXI-O/01), AG/RES. 1720 (XXX-O/00), AG/RES. 1689 (XXIX-O/99), AG/RES. 1581 (XXVIII-O/98), AG/RES. 1516 (XXVII-O/97), AG/RES. 1430 (XXVI-O/96), CIDI/RES. 133 (VIII-O/03), CIDI/RES. 118 (VII-O/02), CIDI/RES. 9 (I-E/01), CIDI/RES. 99 (V-O/00), CIDI/RES. 63 (IV-O/99), and CIDI/RES. 46 (III-O/98), entitled "Trade and Integration in the Americas"; AG/RES. 1534 (XXVIII-O/98), "Support for and Follow-up to the Summits of the

1. Venezuela considers that the title of this resolution should be "*Technical Assistance for Hemispheric Cooperation in the Areas of Trade and Integration*," since the spirit and the purpose of the text are to reaffirm the role of the Organization of American States, as a member of the Tripartite Committee, in providing technical, analytical, and financial support to the FTAA negotiation process, as underscored in the operative section of the text.

Venezuela reiterates the reservation it entered to paragraph 15 of the Declaration of Quebec City and to paragraph 6.A of the Plan of Action, as concerns the entry into force of the FTAA in 2005.

Venezuela reaffirms its reservation to paragraph 12 of the Declaration of Nuevo León, which reads as follows: "Venezuela enters a reservation with respect to the paragraph on the Free Trade Area of the Americas (FTAA) because of questions of principle and profound differences regarding the concept and philosophy of the proposed model and because of the manner in which specific aspects and established timeframes are addressed. We ratify our commitment to the consolidation of a regional fair trade bloc as a basis for strengthening levels of integration. This process must consider each country's particular cultural, social, and political characteristics; sovereignty and constitutionality; and the level and size of its economy, in order to guarantee fair treatment."

Venezuela reaffirms that the commitments made in the FTAA negotiations should be compatible with doctrines on state sovereignty and with constitutional texts.

Venezuela reiterates that the FTAA negotiations should take into account the broad social agenda of the peoples of the Americas, for the purpose of helping to eradicate poverty, raise the living standards of the marginalized sectors of our populations, generate jobs, improve the working conditions of workers, promote social inclusion, strengthen social dialogue and protection, improve health and education, and better protect the environment, as well as respect for and appreciation of cultural diversity, as embodied in the Declaration and the Plan of Action of the 2001 Summit of the Americas. Venezuela considers that:

- a. The Organization of American States can and should express itself regarding possible tensions that would result between the obligations emanating from the commitments made by states in treaties on human rights, the environment, labor matters, cultural matters, etc., and those obligations that would result from the entry into force of the FTAA.

Americas Initiatives”; AG/RES. 1438 (XXVI-O/96), “Relationship between the Special Committee on Trade and the Inter-American Council for Integral Development”; AG/RES. 1349 (XXV-O/95), “Inter-American Summits Management”; and AG/RES. 1220 (XXIII-O/93), “Establishment of the Special Committee on Trade (SCT),” in which the member states noted that the Organization of American States was an appropriate hemispheric forum for dialogue on trade matters;

BEARING IN MIND:

The Declaration of Santiago, issued at the Second Summit of the Americas, in which the Heads of State and Government of the Hemisphere directed their ministers responsible for international trade to begin negotiations for the Free Trade Area of the Americas (FTAA), reaffirmed their determination to conclude the negotiation of the FTAA no later than 2005 and to make concrete progress by the end of the 20th century, and expressed their appreciation for the significant contribution of the Tripartite Committee;

The Declaration of Quebec City, issued at the Third Summit of the Americas, in which the Heads of State and Government of the Hemisphere directed their ministers responsible for international trade “to ensure that negotiations of the FTAA Agreement are concluded no later than January 2005 and to seek its entry into force as soon as possible thereafter but, in any case, no later than December 2005”;

The Plan of Action of the Third Summit of the Americas in which the Heads of State and Government of the Hemisphere highlighted the need to “[e]nsure full participation of all our countries in the FTAA, taking into consideration the differences in the levels of development and size of the economies of the Hemisphere, in order to create opportunities for the full participation of the smaller economies and to increase their level of development”;

The Plan of Action of the Third Summit of the Americas, in which the Heads of State and Government of the Hemisphere urged the “Tripartite Committee institutions to continue to respond positively to requests for technical support from FTAA entities,” and requested “the institutions, according to their respective internal procedures, to favorably consider requests for technical assistance related to FTAA issues from member countries, in particular from the smaller economies, in order to facilitate their integration into the FTAA process”;

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b. The Organization of American States can and should draw up recommendations on Structural Convergence Funds and the design of mechanisms for ensuring that, upon signature of the FTAA, firm commitments may be made to guarantee a significant reduction in differences in the development levels of countries and in productive sectors, with precise social and economic goals, well established deadlines, and follow-up mechanisms; and

c. The Organization of American States can and should play a more positive role in ensuring full transparency of the entire negotiation process and in encouraging increased civil society participation in the FTAA negotiation process.

“<sup>o</sup>The Venezuelan delegation reserves its position on paragraph 15 of the Declaration of Quebec City and paragraph 6-A of the Plan of Action, in light of consultations that are taking place in various sectors of the national government dedicated to our internal legislation, in order to fulfill the commitments that would result from the implementation of the FTAA in the year 2005.”

The Plan of Action of the Third Summit of the Americas, in which the Heads of State and Government of the Hemisphere instructed “our representatives in the institutions of the Tripartite Committee to continue securing the allocation of the resources necessary to contribute to the support of the work of the FTAA Administrative Secretariat”; and

The Declaration of Nuevo León, issued at the Special Summit of the Americas, held in Monterrey, Mexico, in 2004, in which the Heads of State and Government of the Hemisphere declared: “We welcome the progress achieved to date toward the establishment of a Free Trade Area of the Americas (FTAA)” and “take note with satisfaction of the balanced results of the VIII Ministerial Meeting of the FTAA held in Miami in November 2003. We support the agreement of ministers on the framework and calendar adopted for concluding the negotiations for the FTAA in the established timetable, which will most effectively foster economic growth, the reduction of poverty, development, and integration through trade liberalization, contributing to the achievement of the broad Summit objectives”;

NOTING:

The Ministerial Declaration of San José, adopted by the Ministers of Trade at their Fourth Ministerial Meeting, held in San José, Costa Rica, in March 1998, in which they recommended to their Heads of State and Government that they initiate negotiation of the FTAA in accordance with the objectives, principles, structure, venue, and other decisions set forth in their Declaration, acknowledged and again expressed their appreciation to the Tripartite Committee for the technical and logistical support given during the preparatory phase of the FTAA negotiations, and requested that the respective institutions of the Tripartite Committee continue to provide the appropriate existing resources necessary to respond positively to requests for technical support from FTAA entities, including reallocation for this purpose if necessary;

The Ministerial Declarations of Toronto, of November 1999; of Buenos Aires, of April 2001; and of Quito, of November 2002, adopted by Ministers of Trade at their Fifth, Sixth, and Seventh Meetings, respectively, in which the Ministers recognized and expressed their appreciation for the “analytical, technical, and financial support that continues to be provided by the institutions comprising the Tripartite Committee” to the FTAA negotiations in general and to the different FTAA entities in particular, and considered that this support “has been essential to the conduct of the negotiations.” Furthermore, the Ministers encouraged the Tripartite Committee “to continue to support the negotiations” and “to continue to collaborate in the process of hemispheric integration”;

The Ministerial Declaration of Quito, in which the Ministers of Trade “approve[d] the Hemispheric Cooperation Program [HCP] as a priority of all our governments. The Program is intended to strengthen the capacities of those countries seeking assistance to participate in the negotiations, implement their trade commitments, and address the challenges and maximize the

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“Venezuela enters a reservation with respect to the paragraph on the Free Trade Area of the Americas (FTAA) because of questions of principle and profound differences regarding the concept and philosophy of the proposed model and because of the manner in which specific aspects and established timeframes are addressed. We ratify our commitment to the consolidation of a regional fair trade bloc as a basis for strengthening levels of integration. This process must consider each country’s particular cultural, social, and political characteristics; sovereignty and constitutionality; and the level and size of its economy, in order to guarantee fair treatment.”

benefits of hemispheric integration, including productive capacity and competitiveness in the region. We note that the Program includes a mechanism to assist these countries to develop national and/or sub-regional trade capacity building strategies that define, prioritize, and articulate their needs and programs pursuant to those strategies, and to identify sources of financial and non-financial support. We instruct the TNC [Trade Negotiations Committee], with the support of the CGSE [Consultative Group on Smaller Economies], to supervise the HCP. We commit to complete national and/or sub-regional trade capacity building strategies and the related programs in order to make expeditious progress under the HCP, and to assist in the identification of predictable and multifaceted sources of financial and non-financial support for meeting the objectives of the HCP. While these strategies are being prepared, the HCP will also respond to immediate assistance needs for the purpose of strengthening the participation of countries in the negotiations. We further instruct the TNC, with the support of the Tripartite Committee, to facilitate meetings of the CGSE, inviting appropriate development and financial officials, international financial institutions, international agencies, and interested private entities, to discuss financing and implementation of the HCP and to report to us at our next meeting”;

The Ministerial Declaration of Miami, adopted by the Ministers Responsible for Trade at their Eighth Ministerial Meeting, in Miami, in November 2003, in which they declared: “Once again, we express our appreciation for the support provided by the Tripartite Committee (the Inter-American Development Bank (IDB), the Organization of American States (OAS), and the United Nations Economic Commission for Latin America and the Caribbean (ECLAC)) to the FTAA negotiations and their technical, analytical, and financial contribution to the hemispheric integration process. We also thank the IDB, ECLAC, and the OAS for the support provided to the Hemispheric Cooperation Program, and to the issue meetings of civil society, and for redesigning and maintaining the official FTAA website. We encourage the Tripartite Committee to continue to support the negotiations and the HCP, and reiterate the need for their continued collaboration during this final stage of the negotiations”; and

The Ministerial Declaration of Miami, in which the Ministers Responsible for Trade stated: “We welcome the efforts of the CGSE, with the assistance of the Tripartite Committee, to implement the Hemispheric Cooperation Program (HCP). Important steps took place at the Washington, D.C. meeting on October 14 and 15, hosted by the Inter-American Development Bank (IDB), with relevant donor institutions and in the preparation of trade capacity building strategies (TCB) by governments, which were the focus of discussion at the donors’ roundtable. These strategies are critical to identifying effective programs and appropriate funding sources. These steps constitute a beginning to the process of enhancing the capacity of the countries that are seeking assistance to complete negotiation of the FTAA Agreement, prepare to implement its terms, and to enhance their capacity to trade, and successfully adapt to integration”;

CONSIDERING:

That economic diversification and integration, trade liberalization, and market access constitute one of the priorities established in the Strategic Plan for Partnership for Development 2002-2005, and that the process of creating the FTAA is a fundamental element in this context;

That, to support the FTAA Hemispheric Cooperation Program, CEPCIDI and the Government of Canada have allocated resources to the Trade Unit so that it may execute activities to enhance the trade-related capacities of the participating countries, particularly the smaller economies;

That in Doha, Qatar, in November 2001, the member countries of the World Trade Organization (WTO) adopted the Doha Development Agenda, launching a new round of multilateral trade negotiations scheduled to conclude not later than January 1, 2005;

That in Doha the WTO member countries recognized that trade-related technical cooperation and capacity-building are core elements of the development dimension of the multilateral trading system;

That, in the Doha Ministerial Declaration, the Ministers endorsed the “New Strategy for WTO Technical Cooperation: Technical Cooperation for Capacity Building, Growth and Integration” (WT/COMTD/W/90, September 21, 2001), and that the OAS is explicitly mentioned as a WTO partner in the strategy for Latin America and the Caribbean, as follows: “Assisting the countries in their economic integration processes. This includes preparations and negotiations on a Free Trade Area of the Americas (FTAA), to show to the officials involved in regional integration negotiations the importance and extent of their countries’ multilateral commitments and the necessity to strive for WTO consistency in regional agreements. The principal partner with the WTO in this area would be the OAS”;

That among the FTAA principles set out in the Ministerial Declaration of San José, the Ministers included that the “FTAA Agreement will be consistent with the rules and disciplines of the WTO” and reiterated the commitment of the participating countries to multilateral rules and disciplines, in particular Article XXIV of the General Agreement on Tariffs and Trade 1994 (GATT 1994) and its Uruguay Round Understanding, and Article V of the General Agreement on Trade in Services (GATS); and

REAFFIRMING the commitment of the Organization of American States to support the process of free trade and economic integration in the Hemisphere; and reiterating the importance of the contribution of the General Secretariat and, in particular, the Trade Unit to this process,

RESOLVES:

1. To take note of the report submitted by the Permanent Council and the Inter-American Council for Integral Development (CIDI) to the General Assembly in compliance with resolution AG/RES. 1973 (XXXIII-O/03), “Trade and Integration in the Americas.”

2. To instruct the General Secretariat to:

- a. Continue to provide analytical support and technical assistance through the Trade Unit and to conduct related studies as part of the Tripartite Committee or as requested by the respective bodies established in the Ministerial Declarations of San José, Toronto, Buenos Aires, Quito, and Miami under the Free Trade Area of the Americas (FTAA) process;

- b. Support countries in finalizing and implementing their National and/or Regional Trade Capacity Building Strategies in the context of the FTAA Hemispheric Cooperation Program and of the division of labor within the Tripartite Committee so that they may participate effectively in trade negotiations, implement their trade commitments, and reap the benefits in terms of economic growth and poverty reduction;
  - c. Respond to the trade capacity-building needs identified by countries, particularly by the smaller economies, under the FTAA Hemispheric Cooperation Program as well as under other cooperation processes associated with trade and integration agreements in the Americas;
  - d. Continue to provide technical assistance related to FTAA issues to member states that request it, particularly smaller economies, as requested by the Trade Ministers in the Ministerial Declaration of San José and reiterated at the ministerial meetings in Toronto, Buenos Aires, Quito, and Miami, and as requested in the Plan of Action of the Third Summit of the Americas;
  - e. Continue to provide technical assistance, in concert with the World Trade Organization (WTO), to support member states' domestic efforts at mainstreaming trade into national plans for economic development and strategies for poverty reduction, as called for in the "New Strategy for WTO Technical Cooperation: Technical Cooperation for Capacity Building, Growth and Integration," endorsed by the Trade Ministers in Doha;
  - f. Submit, by November 15, 2004, the 2005 annual Work Plan of the Trade Unit to the Permanent Executive Committee of CIDI (CEPCIDI) for its consideration and approval;
  - g. Continue to provide semiannual written progress reports on the activities of the Trade Unit, including information on its level of budget execution, to the Permanent Council and CEPCIDI for their review; and
  - h. Continue its work, through the Trade Unit and its Foreign Trade Information System (SICE), in providing trade and trade-related information to the Hemisphere through its web page; to continue its work in support of the FTAA process by maintaining, as a member of the Tripartite Committee, the official FTAA website; to maintain, as a member of the Tripartite Committee, on an ongoing basis, a calendar of deadlines established by the negotiating groups for the presentation of observations by delegations; and to manage, as a member of the Tripartite Committee, the Document Distribution Service (DDS), a system for secure, confidential, instantaneous, and reliable distribution of the FTAA negotiation process documents.
3. To reiterate support for the collaborative activities on trade and integration of the Trade Unit and the Tripartite Committee, and for such cooperation activities with other specialized regional, subregional, and multilateral organizations and institutions.

4. To entrust the Permanent Council with continuing to provide the appropriate resources necessary to respond positively to requests for technical support from entities in the FTAA negotiation process, including the reallocation of funds for this purpose if necessary.

5. To take note of the important achievements of SICE, in particular the measures taken to broaden its trade and trade-related information and its client base; and to support its continued operations.

6. To direct that the mandates set forth in the preceding paragraphs be executed within the resources allocated in the program-budget of the Organization and other resources.

7. To request the Permanent Council and CEPACIDI to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2015 (XXXIV-O/04)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT OF  
THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4332/04) on the annual report of the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.3855/04);

REAFFIRMING its commitment to the Multilateral Evaluation Mechanism (MEM) as an objective means of measuring member states' progress in the area of drug control and of increasing hemispheric solidarity and cooperation;

WELCOMING the approval by CICAD, at its thirty-fifth regular session, of the hemispheric report and 33 national reports on implementation of the recommendations from the second evaluation round of the MEM;

RECALLING that, in the Declaration on Security in the Americas, the states of the Hemisphere adopted a new concept of security, whereby their security is affected, in various ways, by traditional threats and by new threats, concerns, and other challenges of diverse types;

CONCERNED that further progress is needed in combating drug trafficking and related crimes, such as money laundering, illicit trafficking in arms, the diversion of chemical precursors, and transnational organized crime in general;

PROFOUNDLY CONCERNED over the emergence of armed groups and social movements connected with illicit cultivation in some countries leading to situations that may destabilize institutional order and governance;

AWARE that drug use and abuse constitute a significant public health problem throughout the Hemisphere, the dimensions of which are as yet poorly understood; and

NOTING WITH SATISFACTION that CICAD has strengthened its cooperation and exchange of information with the Inter-American Committee against Terrorism (CICTE), the Consultative Committee established under the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Inter-American Committee on Ports (CIP), the Working Group on Mutual Legal Assistance in Criminal Matters, and other pertinent organs of the inter-American system,



RESOLVES:

1. To express appreciation for the presentation to the General Assembly of the 2003 report of the Multilateral Evaluation Mechanism on the follow-up to recommendations, comprising 33 national reports and the Hemispheric Report on Drug Control; and to endorse those reports.

2. To note with satisfaction the holding of the Intergovernmental Working Group (IWG) meeting on the Multilateral Evaluation Mechanism (MEM) in Panama in March 2003 and the agreements reached and subsequently approved by CICAD at its thirty-third regular session, which form part of the dynamic process for updating and strengthening the MEM.

3. To congratulate the Inter-American Drug Abuse Control Commission (CICAD) on its valuable training seminar for the National Coordinating Entities (NCEs) for the third evaluation round, held in Washington, D.C., in October 2003, which acknowledged the important role of the NCEs in coordinating and processing information in the MEM process.

4. To commend the progress achieved in the process of drafting the national and hemispheric follow-up reports on the implementation of recommendations issued in the second evaluation round as a significant step forward in the consolidation of the MEM.

5. To welcome CICAD's work and decisions in relation to illicit drug trafficking and related crimes linked to transnational organized crime; and to congratulate CICAD for its contribution to the inclusion of the issue of transnational organized crime on the hemispheric agenda, *inter alia* by the adoption, at the thirty-fourth and thirty-fifth regular sessions of CICAD, of recommendations and a plan of action developed at the First Inter-American Meeting on Cooperation Mechanisms against Organized Crime, held in Mexico City, from October 6 to 8, 2003, and the meeting of the CICAD Ad Hoc Working Group on Transnational Organized Crime, held in Washington, D.C., from March 15 to 17, 2004.

6. To urge member states:

- a. To renew the commitment they showed in the first and second evaluation rounds of the MEM, and to continue to participate in an active, full, and timely manner in the third round, in particular, by forwarding the introductory report to each national report and their responses to the questionnaire and by assuring the presence of their government experts at the various stages of the process;
- b. To offer to maintain or to increase, where appropriate, their financial contributions to CICAD to enable it to increase its support to the member states in their efforts to comply with the MEM recommendations; and also to urge permanent observers and international financial institutions to continue to contribute to CICAD activities for the same purpose and to increase their contributions;
- c. To incorporate, as appropriate, into their national law the CICAD Model Regulations for the Control of the International Movement of Firearms, Their

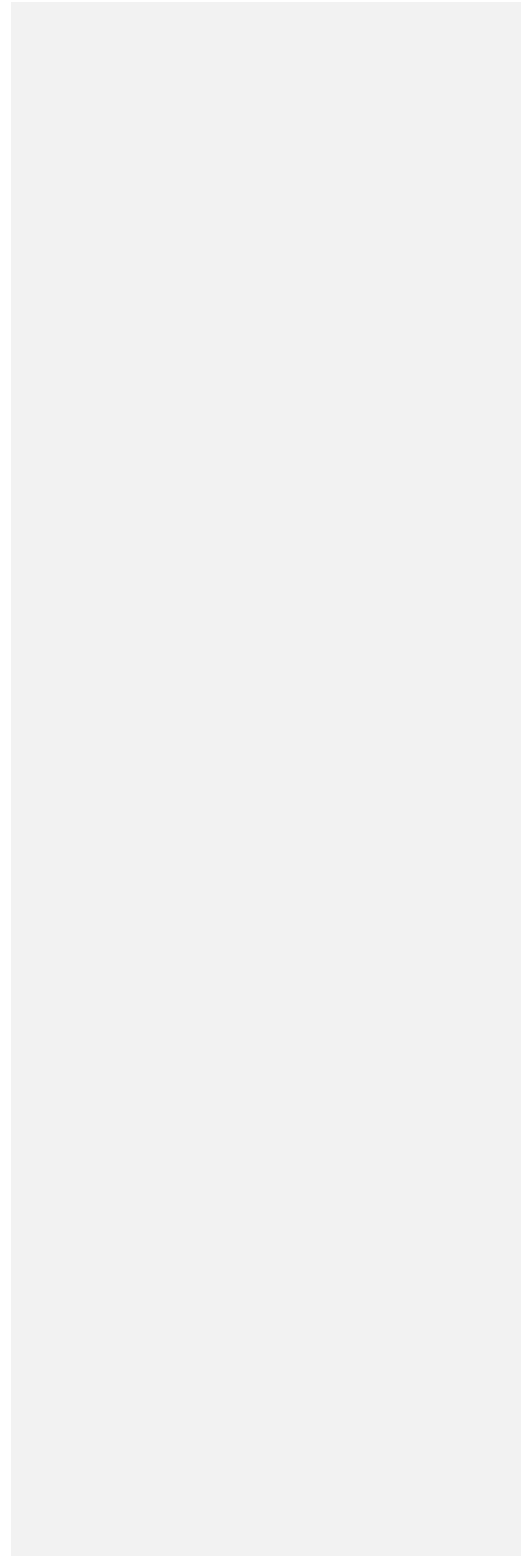
Parts and Components, and Ammunition, including the amendments adopted at the thirty-fourth regular session of CICAD, held in Montreal, Canada, updating the model regulations and introducing controls over firearms brokers;

- d. To strengthen cross-border cooperation, in particular the exchange of experiences on topics related to drug control;
- e. To enhance international cooperation and coordination through implementation of the recommendations of the CICAD Expert Group on Maritime Drug Trafficking, in particular, ensuring their participation in the meetings of that group and the negotiation of bilateral and regional agreements and other arrangements to suppress illicit trafficking by sea and eliminate safe havens used by smugglers;
- f. To incorporate, as appropriate, into their national law the provisions of the CICAD Model Regulations to Control Money Laundering, including the amendments adopted at the thirty-fourth regular session of the Commission, and in particular, those referring to measures related to the financing of terrorism, and to improve the effectiveness of asset forfeiture regimes and international cooperation in this regard;
- g. To endeavor to support alternative development projects being carried out in states affected by the presence of illicit crops, as well as those that are particularly vulnerable to the appearance of such crops;
- h. To continue to strengthen the various aspects of their national drug control systems, including national drug commissions and national drug plans and strategies, and in general the legal and regulatory framework in accordance with the current characteristics of the problem in each country, among other elements;
- i. To continue promoting programs and measures to reduce the demand for illicit drugs and strengthen programs for prevention and education, *inter alia*, in the workplace, as well as treatment and rehabilitation; and
- j. If they have not already done so, to consider signing and ratifying the United Nations Convention against Transnational Organized Crime and the three protocols thereto; the United Nations Convention against Corruption; the Inter-American Convention against Corruption; the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials; and the Inter-American Convention on Mutual Assistance in Criminal Matters.

7. To instruct the Executive Secretariat of CICAD:
- a. To continue to provide assistance to member states that request it to facilitate compliance with the recommendations that flow from the application of the Multilateral Evaluation Mechanism;
  - b. To endeavor to set priorities for the programs carried out by CICAD in all areas, in accordance with the needs of member states; and to explore new technologies and other measures to reduce costs with a view to adjusting to the current financial problems of the Organization;
  - c. To promote adoption of the CICAD Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition, especially the provisions concerning firearms brokers, adopted at the thirty-fourth regular session of CICAD, held in Montreal, and to advance in the implementation of the Small Arms and Light Weapons Administration System (SALSA) program as an instrument for improving application of the controls set out in the Model Regulations as well as those of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);
  - d. To continue its training and technical assistance programs and other activities such as mock trials which focus on criminal procedure to facilitate prosecution of money laundering offenses;
  - e. To continue to make efforts to provide technical and financial assistance to member states, with the goal of consolidating the different aspects of institutional and legal strengthening in the field of drug control;
  - f. To continue to promote the creation and strengthening of National Drug Observatories, or national information and research systems on drugs, which are fundamental tools for the strategic planning of national drug policies;
  - g. Through the Inter-American Observatory on Drugs, to support member states in the development and maintenance of uniform data collection systems on the problem of drug use at the national level, in order to be able to measure the problem and follow up on new trends in drug abuse;
  - h. To help member states strengthen control measures to prevent the diversion of pharmaceutical products, controlled chemical substances, and illicitly produced synthetic drugs, and improve the exchange of information on matters related to the application of control measures, in accordance with the plans of action of the Expert Group on Chemicals and the Expert Group on Pharmaceutical Products, as approved at the thirty-fourth regular session of the Commission;

- i. To continue, where appropriate, to provide technical and financial assistance for the execution of alternative development programs both in those states affected by illicit crop production and in those that are vulnerable to the appearance of those crops;
- j. To assist member states in strengthening financial controls through the establishment and development of their financial intelligence units (FIUs) and the training of judges, prosecutors, and other financial sector personnel;
- k. By means of technical assistance and training, to support member states' efforts to strengthen their capabilities in the areas of maritime drug trafficking control and port security, in accordance with the recommendations of the CICAD Expert Group on Maritime Drug Trafficking;
- l. To continue to monitor emerging trends in the production, trafficking, and consumption of illicit drugs, in particular, synthetic drugs such as methamphetamines, and to help member states develop programs to address these trends through a multisectoral approach;
- m. To take advantage of the experiences of the Andean Community Regional Counter-drug Intelligence School (ERCAIAD), in order to increase the participation of officials from other countries of the Hemisphere and explore opportunities for applying these experiences in other subregions;
- n. To complete the program with the pilot countries to develop methodologies for estimating the human, social, and economic costs of drugs in the Hemisphere; and to promote the use of the proposed methodology in other member states;
- o. To support the work of the groups of experts dedicated to advancing the following thematic areas: demand reduction, arms control, pharmaceutical products, chemical precursors, money laundering, maritime cooperation, and transnational organized crime, so that they may improve and facilitate cooperation and coordination and information exchange among member states in these areas;
- p. To strengthen its cooperation and information exchange with the various inter-American committees and mechanisms, taking into account paragraphs 27 and 45 of the Declaration on Security in the Americas, in particular, with the Inter-American Committee against Terrorism (CICTE); the Consultative Committee established under the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA); the Inter-American Committee on Ports (CIP); the Working Group on Mutual Legal Assistance in Criminal Matters; and other pertinent organs of the inter-American system; and

- q. To continue to support the development and expansion of the on-line master's degree program in drug addiction by endeavoring to enlist new universities to offer the program, as well as projects to reduce the demand for illicit drugs in the region.



AG/RES. 2016 (XXXIV-O/04)

COOPERATION BETWEEN THE ORGANIZATION OF AMERICAN STATES AND  
THE UNITED NATIONS SYSTEM, THE GENERAL SECRETARIAT OF THE  
CENTRAL AMERICAN INTEGRATION SYSTEM, AND THE  
GENERAL SECRETARIAT OF THE CARIBBEAN COMMUNITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Secretary General on the implementation of resolution AG/RES. 1956 (XXXIII-O/03), "Cooperation between the Organization of American States and the United Nations System, the General Secretariat of the Central American Integration System, and the General Secretariat of the Caribbean Community" (CP/doc.3868/04 corr. 1),

RESOLVES:

1. To take note of the report of the Secretary General on the implementation of resolution AG/RES. 1956 (XXXIII-O/03), which outlines the activities carried out under the cooperation agreements between the General Secretariat of the OAS and the secretariats of the United Nations, the Central American Integration System (SICA), and the Caribbean Community (CARICOM).
2. To request the General Secretariat to implement, within available resources, the recommendations of previous general meetings and to consider the possibility of holding meetings of this type in 2005 with the United Nations, with SICA, and with CARICOM in an effort to define new and updated modalities for cooperation between the General Secretariat and the secretariats of these organizations.
3. To request the Secretary General to continue and to strengthen activities involving cooperation between the General Secretariat of the OAS and each of the following organizations: the United Nations system, the General Secretariat of the Central American Integration System, and the General Secretariat of the Caribbean Community.
4. To request the Secretary General to facilitate increased intersectoral contacts with the heads of the technical areas of the three organizations mentioned above.
5. To request the Secretary General to present a report on these actions to the General Assembly at its thirty-fifth regular session.

AG/RES. 2017 (XXXIV-O/04)

MODERNIZATION OF THE GENERAL SECRETARIAT OF THE  
ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING that the Heads of State and Government of the member states, in the Declaration of Santiago, adopted at the Second Summit of the Americas, issued a mandate to study ways to strengthen the institutions of the Hemisphere, particularly the Organization of American States;

RECALLING ALSO that at the Third Summit of the Americas the Heads of State and Government recognized the work of the OAS, demonstrating concrete achievements in executing the mandates assigned by prior Summits, and entrusted it with new mandates;

AWARE that in the Declaration of Quebec City and the Plan of Action of the Third Summit of the Americas, the Heads of State and Government instructed the foreign ministers to advance and deepen the process of reform in the OAS;

CONSIDERING its resolutions AG/RES. 1738 (XXX-O/00), "Modernization of the OAS and Renewal of the Inter-American System," AG/RES. 1836 (XXXI-O/01), "Modernization of the OAS and Renewal of the Inter-American System," and AG/RES. 1848 (XXXII-O/02), "The OAS Restructuring and Modernization Process";

CONSIDERING ALSO that resolution AG/RES. 1909 (XXXII-O/02) instructed the General Secretariat to present to the Permanent Council a proposal to conduct a study ("Management Study") of the organizational framework and personnel structure of the General Secretariat, with the purpose of improving efficiency and effectiveness, and that the resulting "Management Study of the Operations of the General Secretariat" recommended a number of actions for making the OAS General Secretariat more efficient; and

BEARING IN MIND:

That Article 107 of the Charter of the Organization states: "The General Secretariat is the central and permanent organ of the Organization of American States. It shall perform the functions assigned to it in the Charter, in other inter-American treaties and agreements, and by the General Assembly, and shall carry out the duties entrusted to it by the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, or the Councils";

That Article 113 of the OAS Charter states that "[t]he Secretary General shall:

- a. Establish such offices of the General Secretariat as are necessary to accomplish its purposes; and

- b. Determine the number of officers and employees of the General Secretariat, appoint them, regulate their powers and duties, and fix their remuneration.

The Secretary General shall exercise this authority in accordance with such general standards and budgetary provisions as may be established by the General Assembly”;  
and

That the change in OAS General Secretariat officials, connected with the election of a new Secretary General, affords an opportunity to reflect on the role the Organization should play at this moment in the Hemisphere and on how the General Secretariat should be organized to support the Organization in fulfilling that role,

RESOLVES:

1. To instruct the Permanent Council, with support from the General Secretariat:
  - a. To hold, on June 21 and 22, 2004, a closed meeting to reflect on the role the OAS should play at this moment in the Hemisphere and on how the General Secretariat should be organized to support the Organization in fulfilling that role, in which the departing and newly elected secretaries general and staff of the General Secretariat should participate; and
  - b. To prepare a report on the special meeting for presentation to the Secretary General-elect.

2. To entrust the Secretary General, in keeping with the authority conferred on him in Article 113 of the Charter of the Organization of American States, with presenting to the Permanent Council, by January 31, 2005, a plan for restructuring the OAS General Secretariat, taking into account documents arising from previous General Secretariat restructuring exercises, the various studies and reports submitted by the bodies and agencies of the Organization, the Management Study of the Operations of the General Secretariat, his own views, and the thinking expressed at the special meeting.



AG/RES. 2018 (XXXIV-O/04)

WHITE HELMETS INITIATIVE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1351 (XXV-O/95), AG/RES. 1403 (XXVI-O/96), and AG/RES. 1463 (XXVII-O/97);

CONSIDERING:

That, in the Plan of Action of the First Summit of the Americas, the Heads of State and Government said that the White Helmets Initiative could facilitate the eradication of poverty and strengthen the humanitarian rapid response capability of the international community to emergency humanitarian, social, and developmental needs, and that the countries of the Americas could pioneer the initiative through the creation of national corps of volunteers that could respond to calls from other countries in the region;

That the OAS General Secretariat and the White Helmets Committee of Argentina signed an agreement, on March 25, 1998, to establish the Special White Helmets Fund;

That the Technical Cooperation Agreement ATN/SF-6470-RG, between the Inter-American Development Bank (IDB) and the OAS General Secretariat, dated July 1, 1999, established the "White Helmets Initiative" Program, related to the aforesaid Special White Helmets Fund;

That talks between the Inter-American Development Bank and the OAS General Secretariat to extend the aforesaid Technical Cooperation Agreement have begun once again;

That the developments mentioned contribute to achieving the objectives referred to by member states at the International Conference on Financing for Development, held on March 21 and 22, 2002 (Monterrey Consensus); the High-Level Meeting on Poverty, Equity, and Social Inclusion, held from October 8 to 10, 2003 (Declaration of Margarita); and the Special Summit of the Americas, which took place on January 12 and 13, 2004 (Declaration of Nuevo León), and that, in reference to the White Helmets, this was specifically recognized by the delegations participating in the first meeting of the Inter-American Committee on Social Development (CIDES/OAS), which took place on April 5 and 6, 2004, in Chile;

RECOGNIZING the fundamental responsibility of the Inter-American Council for Integral Development (CIDI) and that of the Unit for Social Development and Education (UDSE) with respect to the fight against poverty and the promotion of development;

RECALLING United Nations General Assembly resolutions 46/182 and 49/139 "Strengthening of the coordination of emergency humanitarian assistance of the United Nations," especially the guiding principles on humanitarian assistance, as well as resolution 58/118

“Participation of volunteers, ‘White Helmets’, in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development”;

RECOGNIZING that in the framework of the OAS/IDB White Helmets Program-Fund, 18 missions were conducted to member states affected by humanitarian crises, emergencies, or disasters, including El Salvador, Guatemala, Honduras, Nicaragua, Panama, and Uruguay;

NOTING that from 1997 to 2003 the White Helmets Initiative conducted a total of 41 missions to Antigua and Barbuda, Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Nicaragua, Paraguay, Peru, Saint Kitts and Nevis, Suriname, and Venezuela, within the framework of the United Nations system (resolution 58/118, of December 17, 2003), mutual assistance, and bilateral mechanisms; and

EXPRESSING ITS SATISFACTION:

At the development of the OAS/IDB White Helmets Program-Fund, which has proved effective in providing regional humanitarian and development assistance in response to the growing magnitude and complexity of natural or man-made disasters and chronic situations of hunger and poverty, while facilitating the transition from emergency aid to rehabilitation, reconstruction, and development;

At the Agreement signed between the Inter-American Agency for Cooperation and Development (IACD) and the Argentine White Helmets Committee on April 30, 2003, which strengthens the links between the two institutions and at the same time recognizes the operational level of the humanitarian work of the White Helmets Initiative; and at the efficient work and ongoing support of the IACD for implementation of the Program;

At the recognition granted to the White Helmets Initiative by the Farming Council of the South (CAS) and the Inter-American Institute for Cooperation on Agriculture (IICA), which decided at its meetings in Uruguay (October 8, 2003) and in Panama (November 10, 2003) to use it as an instrument in its struggle to control and eradicate foot-and-mouth disease, including it in its programs in coordination with the CAS, as a result of which activities have been initiated in the framework of MERCOSUR;

At the effective and efficient coordination achieved by the White Helmets with the Pan American Health Organization, both at its meetings of authorities and in the design of projects in Paraguay, and particularly in recent humanitarian assistance provided jointly to the Republic of Haiti; and

Above all, that the White Helmets Initiative has managed to respond to appeals for humanitarian aid, rehabilitation, reconstruction, and development while at the same time preserving the apolitical, neutral, and impartial nature of humanitarian action, as demonstrated in the assistance offered in the case of the recent crises in Bolivia and Haiti,

RESOLVES:

1. To support the continuity and growth of the OAS/IDB White Helmets Program-Fund.
2. To invite member states to expand, if they so wish, the White Helmets Initiative through the development of focal points on this theme, the mutual exchange of common experiences in crises, coordination of a network of pre-identified standby and trained volunteers, and preparation of assistance teams ready to respond rapidly to appeals by states affected by humanitarian crises, emergencies, or disasters.
3. To urge the General Secretariat to support actions to develop the White Helmets Initiative regionally, and especially action related to dissemination of this experience in the region, to make it a hemispheric tool in the area of humanitarian aid, development, and poverty reduction by using the Special White Helmets Fund.
4. To request the Argentine White Helmets Committee to provide technical assistance, inasmuch as possible, to those member countries that request it, either to replicate the system or to exchange experiences with them with a view to improving humanitarian aid, and to develop or strengthen the volunteer corps.
5. To encourage member states, permanent observers, multilateral organizations, individuals, and national or international entities, whether public or private, to contribute on a voluntary basis to the Special White Helmets Fund.
6. Also to request the General Secretariat to follow up on and promote the action referred to in the preceding paragraphs, and to present a report on the implementation of this resolution to the General Assembly at its thirty-sixth regular session.

AG/RES. 2019 (XXXIV-O/04)

FIGHTING THE CRIME OF TRAFFICKING IN PERSONS,  
ESPECIALLY WOMEN, ADOLESCENTS, AND CHILDREN

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual reports of the organs, agencies, and entities of the Organization (AG/doc.4332/04), in particular as they pertain to the annual report of the Inter-American Commission of Women (CIM) (CP/doc.3847/04);

RECALLING resolution CIM/RES. 225 (XXXI-O/02), "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children"; resolution AG/RES. 1776 (XXXI-O/01), "Support for the United Nations Convention against Transnational Organized Crime"; the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, in which the Heads of State and Government pledged to "[i]mplement collective strategies, including those that emerge from the Meetings of Ministers of Justice of the Americas ... in order to combat jointly emerging forms of transnational criminal activity, including trafficking in persons and the laundering of the proceeds and assets of crime and cyber-crime"; and resolution AG/RES. 1948 (XXXIII-O/03), "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children";

CONSIDERING that, in operative paragraph 4 of resolution AG/RES. 1948 (XXXIII-O/03), the General Assembly resolved:

"To instruct the Secretary General to appoint an 'OAS Coordinator on the Issue of Trafficking in Persons, Especially Women, Adolescents, and Children,' to be housed in the Permanent Secretariat of the CIM and to be funded by a specific fund created for this purpose with contributions from member states and other external resources, to serve as a focal point to facilitate information exchange and the efforts of member states that so request to prevent and combat trafficking in persons, especially women, adolescents, and children";

BEARING IN MIND that the issue of trafficking in persons has been considered by different organs of the inter-American system and that an adequate level of coordination must be established with a view to making treatment of this topic more effective;

UNDERSCORING the study prepared by the Inter-American Commission of Women and the Inter-American Children's Institute (CIM/doc.9/02) as a valuable contribution to addressing the problem of trafficking in persons and that the CIM is conducting research on and building the capacity to carry out counter-trafficking activities, in cooperation with the International Organization for Migration (IOM), in other member states;

BEARING IN MIND the conclusions and recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V/doc.9/04), regarding trafficking in persons, especially women and children; and

RECOGNIZING that progress has been made in the region, in particular, in the development of appropriate mechanisms and legal reforms to combat and prevent trafficking in persons, and in victim assistance and protection and the punishment of traffickers,

RESOLVES:

1. To reiterate the request to member states to consider signing and ratifying, ratifying, or acceding to, as appropriate, the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing that Convention, and to adopt the national measures necessary to implement these instruments.

2. To urge member states to complete their internal processes for determining whether to sign and ratify the Inter-American Convention on International Traffic in Minors.

3. To urge members states to adopt, in accordance with their national legal systems and international instruments in force in each state, the measures necessary to implement the recommendations emanating from resolution CIM/RES. 225 (XXXI-O/02) of the Inter-American Commission of Women (CIM), "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children," so as to enhance their legal, judicial, and administrative systems, and to consider the establishment, where appropriate, of a national mechanism to prevent and combat the crime of trafficking in persons and to protect victims.

4. To welcome the recommendation of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas to hold a meeting of national authorities on this matter, with the participation of the CIM, the Inter-American Children's Institute (IIN), the United Nations, the International Organization for Migration (IOM), and other related international organizations, for the purpose of studying integral cooperation mechanisms among the states to ensure protection of and assistance to the victims, prevention of the crime, and prosecution of its perpetrators, bearing in mind respect for the victims' human rights. The said meeting will also facilitate the exchange of information and experiences, policy dialogue, and cooperation among the countries of origin, transit, and destination of trafficking in persons, as well as the establishment or improvement of statistical records in this area.

5. To request the Permanent Council to convene, in 2005, in coordination with the CIM and other appropriate organs of the Organization, the meeting mentioned in operative paragraph 4, and to include participation by experts on this issue, civil society organizations registered with the OAS, and other organizations invited to take part.

6. To instruct the Secretary General to appoint an OAS coordinator on the issue of trafficking in persons, as provided for in resolution AG/RES. 1948 (XXXIII-O/03).

7. To instruct the Secretary General to ensure that the OAS Coordinator on this issue will follow up on the conclusions and recommendations of the meeting of national authorities provided for in operative paragraph 4.

8. To instruct the Secretary General to present to the Permanent Council, on the basis of the contributions of the OAS Coordinator on the Issue of Trafficking in Persons, Especially Women, Adolescents and Children, a proposal for a broad strategy that addresses the human rights, social policy, and transnational crime aspects of all forms of trafficking in persons; and to support the cooperation efforts and projects of the member states in this area, as well as those of the organs and specialized units of the OAS, international organizations, and civil society organizations.

9. To instruct the Secretary General to present a report each year to the Permanent Council, in coordination with the OAS Coordinator, on the activities being carried out by the various OAS organs to address the issue of trafficking in persons, and on developments in the Hemisphere, taking into account the information provided by member states, including progress in law enforcement, prevention, and the protection of and assistance to victims of trafficking.

10. To entrust the Permanent Council with giving appropriate follow-up to and ensuring the implementation of this resolution, with providing the necessary funds for the activities undertaken by the OAS organs to deal adequately with the problem of trafficking in persons, and with convening the meeting of national authorities provided for in operative paragraph 4 of this resolution, in accordance with the resources allocated in the program-budget of the Organization and other resources.

11. To invite member states, permanent observers, and the organs, agencies, and entities of the inter-American system, as well as public and private entities and other sources to contribute to the specific fund provided for in resolution AG/RES. 1948 (XXXIII-O/03).

12. To request the Secretary General to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2020 (XXXIV-O/04)

SUPPORT FOR AND FOLLOW-UP ON THE ACTIVITIES OF THE  
INTER-AMERICAN TELECOMMUNICATION COMMISSION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 1945 (XXXIII-O/03), which requested the Inter-American Telecommunication Commission (CITEL) to present a follow-up report to the General Assembly at its thirty-fourth regular session;

BEARING IN MIND:

Article 33 of the Charter of the Organization of American States, which establishes that “[d]evelopment is a primary responsibility of each country and should constitute an integral and continuous process for the establishment of a more just economic and social order that will make possible and contribute to the fulfillment of the individual”;

The commitments set forth in the Plan of Action of the Third Summit of the Americas, held in Quebec City, regarding telecommunications;

That CITEL is the principal inter-American forum for dialogue on telecommunications and that it serves as a catalyst for strengthening partnership between governments and the private sector and as a coordinator in implementing the mandates arising from the Summits of the Americas process in its area of competence;

The importance of telecommunications in social and economic development; and

That there is a need to promote more active participation by member states in policy formulation and in the design and execution of their priority cooperation programs, projects, and activities;

RECOGNIZING that CITEL should take advantage of the multilateral nature of the OAS, in which countries with different levels of development and experience participate and where political dialogue and technical cooperation converge;

CONSIDERING:

That the main activities of CITEL in 2003 have been:

- a. Delivery of appropriate training programs to telecommunications professionals from the countries of the Hemisphere in accredited training centers in the region and, in particular, the Center of Excellence for the Americas Region of the International Telecommunication Union (ITU);

- b. Publication of a book on tele-health in the Americas, in coordination with the ITU and the Pan American Health Organization (PAHO), which recommends policies and strategies to be adopted by OAS member states to extend access to and improve the quality of health services for a larger number of individuals;
- c. Adoption of several recommendations on such matters as interconnection guidelines, universal service/access, coordination of adequate standards to ensure interoperability, and the timely introduction of technology, spectrum harmonization, and new services;
- d. Organization of several seminars and workshops on priority issues for the countries such as broadband satellite access, the Mutual Recognition Agreement for assessing the conformity of telecommunications equipment, and wireless access; and
- e. Presentation of a harmonized view in the region through the development of common inter-American proposals to the World Radiocommunication Conference and later, in 2004, to the World Telecommunication Standardization Assembly; and

CONSIDERING FURTHER that, in resolution AG/RES. 1947 (XXXIII-O/03), the Protocol of Amendment to the Inter-American Convention on an Amateur Radio Permit was adopted,

RESOLVES:

1. To recognize and support the important role that the Inter-American Telecommunication Commission (CITEL) plays in all aspects of telecommunications; and to note with appreciation the progress it has made in fulfilling the mandates of the Summits of the Americas in the area of telecommunications and, in particular, connectivity.
2. To urge the member states to become states parties to the Inter-American Convention on an International Amateur Radio Permit (IARP) and its Protocol of Amendment.
3. To urge member states to implement the Inter-American Mutual Recognition Agreement for Conformity Assessment of Telecommunications Equipment (MRA) and to request CITEL to facilitate the exchange of information and experiences among member states in this regard.
4. To welcome CITEL's active and continued participation in the development of a comprehensive cybersecurity strategy and, in particular, its efforts to build a culture of cybersecurity and to coordinate the application of standards for the protection of critical infrastructure, including telecommunications.
5. To continue to facilitate the development of inter-American proposals, positions and views in relation to major upcoming International Telecommunication Union events, such as the 2004 World Telecommunication Standardization Assembly, the 2006 Plenipotentiary Conference, the 2006 World Telecommunication Development Conference, and the 2007 World Radiocommunication Conference.



6. To instruct CITEI to continue evaluating mechanisms for encouraging active participation by all OAS member states in its activities.

7. To urge member states to disseminate and encourage the implementation of the CITEI recommendations.

8. To request CITEI to present a follow-up report to the General Assembly at its thirty-fifth regular session.

AG/RES. 2021 (XXXIV-O/04)

STRENGTHENING OF THE INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING that the Summits of the Americas process begun in 1994 has recognized the Inter-American Commission of Women (CIM) as the most important hemispheric forum for promoting women's human rights and gender equity and equality and has given new mandates to this body, encouraging it to continue its progress in the promotion of those rights, especially in the area of violence, in order to fulfill the objectives of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará";

FURTHER RECALLING that in 1994 the CIM Assembly of Delegates adopted the Strategic Plan of Action of the Inter-American Commission of Women, which concentrates on 10 areas of priority interest concerning the advancement of women in the political, legal, social, and economic spheres to improve their quality of life;

CONSIDERING resolution AG/RES. 1625 (XXIX-O/99), which convened the First Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States and approved the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), which was subsequently adopted by the General Assembly; as well as resolution AG/RES. 1732 (XXX-O/00), which instructed the CIM to serve "as the organ for follow-up, coordination, and evaluation of the Inter-American Program and the actions taken to implement it";

RECOGNIZING that the IAP urges the General Secretariat to strengthen the Permanent Secretariat of the CIM by allocating to it the necessary human and financial resources, and to help it obtain funds from private sources;

TAKING INTO ACCOUNT that the First Meeting of Ministers or of the Highest-Ranking Authorities adopted resolution CIM/MINIS/RES. 3 (I-O/00), "Integrating a Gender Perspective in the Summits of the Americas," which called for "the holding of ministerial meetings on women every four years, with the support of the CIM Assembly of Delegates, in order to contribute to the preparation and follow-up of the plans of action that might be adopted at the Summits of the Americas, bearing in mind the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality";

BEARING IN MIND that the General Assembly, at its twenty-fourth regular session, adopted the Convention of Belém do Pará, which has since given rise to the development of important hemisphere-wide initiatives for dissemination and continued implementation of this vital legal instrument;

CONSIDERING that resolution CIM/RES. 224 (XXXI-O/02), “Follow-up of the Convention of Belém do Pará,” urged all member states to ratify the Convention and entrusted the CIM with beginning a process of consultations with the states parties and those not party to the Convention and with other organs, agencies, and entities, to examine the most appropriate way to follow up on its implementation;

CONSIDERING ALSO that, in resolution CIM/RES. 225 (XXXI-O/02), “Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children” the CIM resolved “[t]o establish a focal point in the Permanent Secretariat of the CIM to assist the efforts, information sharing, and activities of the member states”;

NOTING that resolutions AG/RES. 1451 (XXVII-O/97), AG/RES. 1586 (XXVIII-O/98), and AG/RES. 1732 (XXVII-O/00) instructed the General Secretariat and the Permanent Council to make every possible effort to allocate technical, human, and financial resources to the CIM so it will be better equipped to perform its essential activities;

EMPHASIZING that in the Plan of Action of the Third Summit of the Americas the Heads of State and Government pledged to support an adequate level of resources to the CIM to enable it to fulfill its role as the principal hemispheric forum for generating policies for the advancement of women’s human rights, and especially, gender equity and equality, and to strengthen the CIM’s role as technical advisor for the Summit Implementation Review Group (SIRG) on all aspects of gender equity and equality and recognize its importance in the follow-up of the pertinent Summit recommendations; and

OBSERVING that there has been a notable increase in the mandates given to the CIM, emanating from the Summits of the Americas, the Strategic Plan of Action of the CIM, the Convention of Belém do Pará and its follow-up, and the IAP, as well as from the projects on violence and trafficking in persons, which is not consistent with the limited human and financial resources allocated, which have been drastically reduced over the past eight years,

RESOLVES:

1. To urge the Secretary General to provide the Inter-American Commission of Women (CIM) with sufficient human and financial resources to strengthen its capacity to carry out its mandates.
2. To urge the Secretary General to include CIM projects and programs among the priorities presented to external donors for funding.
3. To invite member states and permanent observers, as well as individuals and national or international organizations, whether public or private, that wish to do so to make voluntary contributions to support the development and implementation of CIM projects and programs.
4. To instruct the Permanent Council, through the Committee on Administrative and Budgetary Affairs (CAAP), to invite the CIM Executive Secretary to present periodic reports on the financial resources needed to fulfill its mandates.

AG/RES. 2022 (XXXIV-O/04)

JOINT EFFORTS OF THE AMERICAS  
IN THE STRUGGLE AGAINST CORRUPTION AND IMPUNITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That democracy, peace, development, and solidarity among our peoples are fundamental values and ideals shared by all the nations of the Hemisphere and constitute our peoples' commitment to coexistence;

That the Charter of the Organization of American States recognizes that representative democracy is an indispensable condition for the stability, peace, and development of the region and that one of the purposes of the OAS is to promote and consolidate that system;

That transparency in government activities, probity, and responsible public administration on the part of governments are essential components of the exercise of democracy, as stated in the Inter-American Democratic Charter;

That in the Inter-American Convention against Corruption the states of the Americas reiterate that the struggle against corruption strengthens democratic institutions and prevents distortions in the economy, improprieties in public administration, and damage to a society's moral fiber; that in that struggle it is the responsibility of states to eradicate impunity; and that their action in this area requires cooperation among them in order to be effective;

That the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas affirms that cooperation and reciprocal assistance against corruption, in accordance with applicable treaties and law, are fundamental factors in the promotion of democratic governance;

That in the Declaration on Security in the Americas, adopted by the Special Conference on Security, in Mexico City, the states of the Americas reaffirmed that cooperation, mutual legal assistance, extradition, and concerted action to combat corruption constitute a political and moral imperative;

That the preamble to the United Nations Convention against Corruption emphasizes that corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent it and fight it essential;

That in the Declaration of Nuevo León, adopted at the Special Summit of the Americas, the Heads of State pledge, *inter alia*, to cooperate in the extradition of corrupt officials and to enhance regional mechanisms for mutual legal assistance in criminal matters and their implementation; and

express their concern regarding corrupt, illegal, and fraudulent practices in the management of some national and transnational enterprises, which may have a negative impact on economies, in particular those of developing countries, and on their producers and consumers;

That the historical tradition of our Hemisphere has been to welcome immigrants from the world over with open arms;

That the actions of the Americas as a collective of nations of the Hemisphere should not be limited to statements directed toward our own countries but should clearly express our Hemisphere's political will and its principled contribution to the international community; and

That it is necessary, in accordance with the various documents we have adopted in the Hemisphere, to express, in a collective and unified manner, the political will of our peoples to insist that the international community fulfill its commitments to these values and ideals,

RESOLVES:

1. To reaffirm that the struggle against corruption and impunity is a fundamental commitment and a mutual duty of the states of the Americas, as a guarantee of the exercise of democracy and the consolidation of its institutions, governance, strengthening of the rule of law, and respect for human rights, because corruption, whether passive or active, is a menace to the security of states, undermines public and private institutions, and encumbers the development of peoples.

2. To express, in the context of strengthening democratic governance and in accordance with the instruments and resolutions previously adopted, its full support for the efforts being carried out by member states so that those who have committed acts of corruption against those states while in public office shall be prosecuted by national courts and answer before them.

3. To call upon the international community, in accordance with applicable treaties and laws, to refrain, without accepting justifications based on fraud or abuse of the law and legal principles, from granting safe haven; and to provide broad cooperation to the states of the Hemisphere for the purpose of guaranteeing that those public officials who have exercised political power and, in that capacity, have committed crimes of corruption, may be made available to the corresponding authorities of the countries in which these crimes were committed for prosecution by their national courts.

4. To request the Inter-American Juridical Committee to prepare a report on the:

- a. Legal effects of giving safe haven in regional or extra-regional countries to public officials and persons accused of crimes of corruption after having exercised political power; and
- b. Cases in which appealing to the principle of dual nationality may be considered a fraud or abuse of the law.

AG/RES. 2023 (XXXIV-O/04)

PROMOTION OF WOMEN'S HUMAN RIGHTS  
AND GENDER EQUITY AND EQUALITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Secretary General on the "Implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality," pursuant to resolution AG/RES. 1941 (XXXIII-O/03) (CP/doc.3886/04);

BEARING IN MIND:

That the objective of resolution AG/RES. 1732 (XXX-O/00), "Adoption and Implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality," is the integration of a gender perspective as a decisive strategy for implementing the Program and achieving the ultimate aim of promoting and protecting women's human rights and gender equity and equality and for achieving equal rights and opportunities for women and men;

Resolutions AG/RES. 1777 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), and AG/RES. 1941 (XXXIII-O/03), by which the General Assembly received the successive reports of the Secretary General on the implementation of the Program and adopted mandates for carrying it out;

The commitment made by the Organization of American States, in particular through the Inter-American Commission of Women (CIM), to facilitate integration of a gender perspective into the work of all its organs, agencies, and entities by developing training programs and disseminating information on women's human rights, and to support governments in the systematic compilation and dissemination of statistical data disaggregated by gender;

The OAS gender mainstreaming project, conducted in coordination with the CIM, and the progress of 20 organs, agencies, and entities in incorporating a gender perspective into their areas; and

That the CIM has performed important work as the principal forum for generating hemispheric policy on gender equity and equality, as well as in cooperation between the OAS and the different regional and subregional agencies and entities, and in the implementation of recommendations for promoting sector-wide incorporation of a gender perspective into the areas of labor, justice, education, and science and technology;

CONSIDERING:

The endorsement by the Heads of State and Government, in the Plan of Action of the Third Summit of the Americas, of the Inter-American Program on the Promotion of Women's Human

Rights and Gender Equity and Equality; and the need to promote stronger initiatives in the preparatory process for the next Summit of the Americas, to be held in Argentina;

That at the Third Summit the Heads of State and Government expressed their support for efforts to address the challenges associated with globalization to protect the most vulnerable, and reaffirmed the importance of having the benefits of globalization widely and equitably distributed to all regions and social sectors of their countries;

That at the Special Summit of the Americas (Monterrey, 2004) the Heads of State and Government reiterated “that the empowerment of women, their full and equal participation in the development of our societies, and their equal opportunities to exercise leadership are fundamental for the reduction of poverty, the promotion of economic and social prosperity, and for people-centered sustainable development” and also reaffirmed their commitment to continue promoting gender equity and equality and the mandates of the Summits of the Americas in this area;

The role of the CIM as technical advisory body to the Summit Implementation Review Group (SIRG) on all aspects of gender equity and equality, and the importance of the CIM in following up on relevant Summit recommendations and in preparing for the Fourth Summit of the Americas; and

That, in April 2004, the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM-II), held in coordination with the CIM, adopted a declaration and five resolutions, to strengthen and promote the implementation of the Inter-American Program,

RESOLVES:

1. To take note of the fourth report of the Secretary General on the implementation of the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality, presented in fulfillment of resolution AG/RES. 1941 (XXXIII-O/03); and to urge him to continue to give it his full support, with special emphasis on the priorities set by the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM-II), held in April 2004.

2. To reaffirm its support for the work of the Inter-American Commission of Women (CIM) as the principal forum for generating hemispheric policy on gender equity and equality and the promotion of women’s human rights.

3. To continue to support the CIM’s efforts to:

- a. Follow up on and implement the Inter-American Program, including coordination of the first meeting of the Inter-Institutional Forum on Gender Equity and Equality (IIFGEE), convened by the Secretary General;
- b. Integrate a gender perspective as a decisive strategy for developing the programs and actions of each of the Organization’s organs, agencies, and entities;

- c. Implement activities and programs for integrating a gender perspective into the results of ministerial meetings on labor, justice, education, and science and technology; and
  - d. Collaborate with the OAS Trade Unit and the member states, to follow up on resolution CIM/REMIM-II/RES. 5/04, adopted by REMIM-II.
4. To request the Permanent Council, in fulfillment of the mandates of the Summits of the Americas and the Inter-American Program, to:
- a. Continue in its efforts to integrate a gender perspective into its resolutions, activities, and initiatives, as appropriate, to ensure that they benefit women and men on an equal and equitable basis, availing itself of the expertise of the CIM;
  - b. Convene a yearly joint meeting of the CIM and the UPD, with participation by civil society organizations, to advance the implementation of the Inter-American Program and women's participation in the political process, in follow-up to the special meetings held in November 2002 and April 2004;
  - c. Consider increasing the resources allocated to the CIM in the program-budget, enabling it fully to carry out its mandates; and
  - d. To coordinate with the CIM on topics VI, VII, and VIII of the conclusions and recommendations of Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), pertaining to trafficking in persons, especially women and children, violence against women, and gender and justice, in the preparatory and follow-up process of REMJA-V, which is carried out by the Committee on Juridical and Political Affairs (CAJP).
5. To urge member states to:
- a. Continue their efforts to develop public policies and strengthen institutional mechanisms for the advancement of women and to enforce laws that promote women's human rights and gender equity and equality, including equal opportunity for women and men at all levels;
  - b. Proceed, as requested by REMIM-II, to:
    - i. Gather and analyze data disaggregated by sex in all sectors of the economy, so as to better understand and address the different impact of trade liberalization on women and men;
    - ii. Analyze and create support programs that take account of the different impact of macroeconomic policies on women and men and that can contribute to creating positive impacts of such policies and



help to mitigate the potential negative impact on particular populations, including, among others, women who may be affected disproportionately because of their socioeconomic role; and

- iii. Include gender impact considerations in developing their national policies and positions related to the negotiation of bilateral and regional trade agreements; as well as including gender equity and equality as a priority within national and regional trade capacity-building strategies.
  - c. Promote the development of project profiles within the Hemispheric Cooperation Program (HCP) of the Free Trade Area of the Americas process<sup>1/</sup> that take into account the potential gender impact of trade liberalization.;
  - d. Encourage the diversification of employment opportunities available to women and develop and strengthen policies and programs that will help women benefit from trade as a tool for combating poverty and encouraging equitable and sustainable development in the Hemisphere.
6. To urge the Secretary General to:
- a. Continue promoting integration of a gender perspective into all programs and policies of the Organization, promoting follow-up and support activities to the OAS gender analysis training program, especially for new staff, and training for trainers;
  - b. Reiterate the request to the organs, agencies, and entities of the Organization to include in their annual reports to the General Assembly information on their efforts to mainstream the gender perspective into their policies, programs, projects, and activities;
  - c. Work with the CIM to ensure the integration of a gender perspective into the development of the programs and actions of each of the Organization's organs, agencies, and entities; and
  - d. Report to the General Assembly at its thirty-fifth regular session, in coordination with the CIM, on the implementation of the Program and of this resolution by the organs, agencies, and entities of the inter-American system.

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1. "Venezuela reserves its position on the paragraph pertaining to the FTAA for reasons of principle and in view of its profound differences with regard to the concept and philosophy reflected in the proposed model, as well as the treatment accorded to specific matters and the established deadlines. We reaffirm our commitment to the consolidation of a regional fair trade bloc as the basis on which to raise integration levels. To ensure fair treatment, this process must take account of the specific political, social, and cultural traits of each country; sovereignty and constitutionality; and the level and size of its economy."

AG/RES. 2024 (XXXIV-O/04)

NATURAL DISASTER REDUCTION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

REITERATING the importance of the Inter-American Committee on Natural Disaster Reduction (IACNDR) in addressing matters relating to natural disasters and in particular emergency preparedness, vulnerability reduction, disaster response, and disaster recovery and reconstruction efforts;

OBSERVING the increasing impact of natural hazard events on the populations and the economic and social infrastructure of the member states as they relate to meeting sector development objectives and supporting the tenets and mandates related to sustainable development;

BEARING IN MIND that the member states have committed themselves to progress on disaster reduction and have requested of the OAS General Secretariat as well as regional, hemispheric and international specialized agencies support in meeting their acquired mandates;

TAKING NOTE of the measures proposed by the Special Conference on Security, held in Mexico in October 2003, in regard to member states' response to natural disasters and their reduction; and

RECALLING that in the Declaration on Security in the Americas the states of the Hemisphere expressed concern over natural and man-made disasters that afflict them and cause greater devastation in the most vulnerable states that have not yet developed adequate prevention and mitigation capabilities,

RESOLVES:

1. To reiterate the mandates contained in resolution AG/RES. 1955 (XXXIII-O/03) and previous resolutions.
2. To urge member states to take the necessary measures to strengthen the existing inter-American mechanisms and to develop new cooperation mechanisms to improve and broaden the region's response capability in preventing and mitigating the effects of these disasters, pursuant to the commitments undertaken in the Declaration on Security in the Americas.
3. To urge member states to take the necessary measures to be in a position to respond effectively and swiftly to natural disasters by strengthening existing bilateral, subregional, and multilateral actions and institutions, such as the Inter-American Committee on Natural Disaster Reduction (IACNDR) and, when possible, by using technology and scientific resources to prevent their occurrence, as well as taking adaptive measures to mitigate their effects in order to avoid or reduce damage to the environment, the productive and critical infrastructure, the heritage and, most

importantly, the peoples of the Hemisphere, pursuant to the commitments undertaken in the Declaration on Security in the Americas.

4. To underscore the importance of the Summit of the Americas on Sustainable Development, held in Santa Cruz de la Sierra, Bolivia, which, in its Plan of Action, called for OAS member states to undertake disaster mitigation in natural development plans; the creation of the IACNDR; and the General Assembly request to the IACNDR to prepare and implement the Inter-American Strategy for Policy on Vulnerability Reduction, Risk Management, and Disaster Reduction; and to remind the General Secretariat that the Inter-Committee on Sustainable Development of the Inter-American Council for Integral Development (CIDI) has requested periodic reports on progress made by the sectors in vulnerability reduction of populations and economic and social infrastructures to natural hazards.

5. To request the IACNDR to continue to stimulate the active participation of the relevant inter-American agencies and subregional programs in the three IACNDR working groups.

6. To request the IACNDR to report periodically to the Permanent Council on its implementation of this and prior resolutions and on the progress of its work.

AG/RES. 2025 (XXXIV-O/04)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORTS  
OF THE ORGANS, AGENCIES, AND ENTITIES OF THE ORGANIZATION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4332/04) on the annual reports presented by the following: the Inter-American Council for Integral Development (CIDI) (CP/doc.3888/04), the Inter-American Institute for Cooperation on Agriculture (IICA) (CP/doc.3843/04), the Pan American Health Organization (PAHO) (CP/doc.3846/04), the Inter-American Commission of Women (CIM) (CP/doc.3847/04), the Inter-American Telecommunication Commission (CITEL) (CP/doc.3839/04), the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.3855/04), the Inter-American Committee against Terrorism (CICTE) (CP/doc.3859/04), the Inter-American Children's Institute (IIN) (CP/doc.3852/04), the Inter-American Indian Institute (III) (CP/doc.3858/04), the Pan American Institute of Geography and History (PAIGH) (CP/doc.3857/04), the Justice Studies Center of the Americas (JSCA) (CP/doc.3850/04), and the Administrative Tribunal of the OAS (TRIBAD) (CP/doc.3822/04);

CONSIDERING that the Permanent Council's observations and recommendations recognize the successful endeavors of the organs, agencies, and entities in furtherance of the principles and objectives of the Organization and of the inter-American system; and

UNDERSCORING that these reports have been submitted in keeping with the provisions of Article 91.f of the Charter of the Organization of American States,

RESOLVES:

1. To take note of the observations and recommendations of the Permanent Council on the annual reports and to transmit them to the organs, agencies, and entities of the Organization.
2. To thank the organs, agencies, and entities that complied with the statutory deadline for the presentation of annual reports; and once again to urge all organs, agencies, and entities to include a section on the quantifiable results obtained, in keeping with the provisions of resolution AG/RES. 1952 (XXXIII-O/03).
3. To remind all organs, agencies, and entities of the Organization that annual reports must be submitted by the statutory deadline, which is 90 days prior to the start of the regular session of the General Assembly.
4. To urge all organs, agencies, and entities of the Organization to approve their annual reports, in accordance with the procedures applicable for each report, at least 120 days prior to the General Assembly session.

5. To reiterate to all organs, agencies, and entities of the Organization that, in presenting their annual reports, they must take into account the provisions of its prior resolutions, in particular resolutions AG/RES. 1452 (XXVII-O/97), AG/RES. 1669 (XXIX-O/99), AG/RES. 1839 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), AG/RES. 1883 (XXXII-O/02), and AG/RES. 1952 (XXXIII-O/03).

6. To recognize the important activities carried out by the Inter-American Council for Integral Development (CIDI) and its subsidiary bodies; and to request it to continue promoting hemispheric dialogue and to redouble its efforts to promote partnership for development among the member states to support their integral development and, in particular, to contribute to the elimination of poverty.

7. To underscore the important activities conducted by the Pan American Health Organization (PAHO) in fulfillment of its purposes and objectives, geared toward improving health and living standards in the Americas.

8. To commend the Inter-American Commission of Women (CIM) for its service in promoting women's rights in the Americas; and to support its efforts to implement the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality, especially its collaboration on the gender mainstreaming project at the General Secretariat, as well as the process of study and preparation of a follow-up mechanism to the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará," and the study on trafficking in persons.

9. To renew its recognition of the Inter-American Institute for Cooperation on Agriculture (IICA); and to encourage it to continue its efforts to support member states in their quest for progress and prosperity in the Hemisphere, through the rural sector, promotion of food security, and development of a competitive, technologically trained, environmentally managed, and socially equitable agricultural sector for the peoples of the Americas.

10. To renew its recognition of the Inter-American Telecommunication Commission (CITEL) for its important activities in pursuit of its purposes and objectives and in fulfillment of the Summits of the Americas mandates.

11. To commend the Inter-American Children's Institute (IIN) for its projects now in execution under its Strategic Plan 2000-2004; and to urge it to continue its efforts to increase funding for the projects agreed upon in that plan.

12. To recognize the work of the Inter-American Indian Institute (III); and to express the support of the member states for its restructuring process, taking into account the importance of indigenous issues on the OAS agenda.

13. To commend the Pan American Institute of Geography and History (PAIGH) for the activities it has carried out, especially in support of border demarcation.

14. To underscore the efforts of the Justice Studies Center of the Americas (JSCA) to generate and disseminate instruments to improve awareness of justice in the Americas; and to express its satisfaction with the measures taken to increase cooperation and the exchange of experiences among key actors in the justice sector at the regional level.

15. To recognize the important activities carried out by the Administrative Tribunal of the OAS (TRIBAD), underscoring the initiative to maintain ongoing dialogue for cooperation and coordination with the other organs, agencies, and entities of the Organization.

AG/RES. 2026 (XXXIV-O/04)

FIGHTING TRANSNATIONAL ORGANIZED CRIME IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING that, in the Declaration on Security in the Americas, the states of the Hemisphere declared that the new concept of security “is multidimensional in scope, includes traditional and new threats, concerns, and other challenges to the security of the states of the Hemisphere, incorporates the priorities of each state, contributes to the consolidation of peace, integral development, and social justice, and is based on democratic values, respect for and promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty”;

CONCERNED that the security of the states of the Hemisphere is affected, in various ways, by traditional threats and by new threats, concerns, and other challenges of diverse types, such as transnational organized crime;

RECALLING that in the Declaration on Security in the Americas the member states condemned transnational organized crime, since it constitutes an assault on institutions in our countries and negatively affects our societies; renewed the commitment to fighting it by strengthening the domestic legal framework, the rule of law, and multilateral cooperation, respectful of the sovereignty of each state, in particular through the exchange of information, mutual legal assistance, and extradition; and committed to combat transnational organized crime, *inter alia*, by fully implementing the obligations contracted by the states parties to the United Nations Convention on Transnational Organized Crime and the three protocols thereto, so that money laundering, kidnapping, illicit trafficking in human beings, corruption, and other related crimes are criminalized in the Hemisphere and so that the assets from the proceeds of these crimes are identified, traced, frozen, or seized and are ultimately confiscated and disposed of, as well as to improve coordination and technical cooperation to strengthen national institutions dedicated to preventing and sanctioning these transnational crimes and identifying and prosecuting members of transnational criminal organizations;

EMPHASIZING the importance of enhancing women’s participation in all efforts to promote peace and security, the need to increase women’s decision-making role at all levels in relation to conflict prevention, management, and resolution, and to integrate a gender perspective into all policies, programs, and activities of all inter-American organs, agencies, entities, conferences, and processes that deal with matters of hemispheric security;

RECALLING that, according to the Anti-Drug Strategy in the Hemisphere of 1996, dismantling criminal organizations and their support networks should be another of the key objectives of the initiatives taken by the countries of the Hemisphere against illegal drug trafficking and related crimes, and that the countries of the Hemisphere will intensify their efforts to exchange information and gather evidence to enable them to bring to trial and sentence the leaders and other members of

criminal organizations and their support networks, within the framework of full respect for due process of law;

BEARING IN MIND United Nations General Assembly resolution 57/168, "International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the protocols thereto";

RECOGNIZING the prevention efforts of the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) and other regional organizations in fighting organized crime in the Hemisphere;

REAFFIRMING the importance of the ratification, by all member states of the Organization of American States, of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and of the earliest possible implementation of the Convention by the states parties thereto, in order to promote and facilitate cooperation and the exchange of information and experiences among the states parties with a view to preventing, combating, and eradicating the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, which facilitate and contribute to transnational organized crime;

BEARING IN MIND the decisions of the Inter-American Drug Abuse Control Commission (CICAD) on the conclusions and recommendations on fighting transnational organized crime in the Hemisphere reached by member states at the First Inter-American Meeting on Cooperation Mechanisms against Organized Crime, held in Mexico City, in October 2003, and at the meeting of the CICAD Ad Hoc Group on Transnational Organized Crime, held in Washington, D.C., in March 2004;

BEARING IN MIND ALSO the conclusions and recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), held in Washington, D.C., in April 2004; and

TAKING INTO ACCOUNT that, within the OAS, the Committee on Hemispheric Security is to coordinate cooperation among the organs, agencies, entities, and mechanisms of the Organization related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each,

RESOLVES:

1. That the topic of transnational organized crime shall continue to be considered, in its different manifestations, by the various OAS entities that have been doing so within their respective spheres of competence, such as the Inter-American Drug Abuse Control Commission (CICAD), the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Inter-American Commission of Women (CIM), the Inter-American Children's Institute (IIN), the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), the Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters, the



Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), and, for those aspects where it is deemed pertinent, the Inter-American Committee against Terrorism (CICTE), with a view to consolidating a shared vision of the effort now being carried forward by the Organization through its various bodies, promoting increased coordination and integration of such efforts at the hemispheric level, and ensuring that the OAS consolidates its position as a regional forum for effective cooperation against transnational organized crime, taking as a point of reference the provisions of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the protocols thereto.

2. In accordance with the conclusions and recommendations adopted by REMJA-V, to instruct the Permanent Council to convene a group of experts, through its Committee on Hemispheric Security, to consider the advisability of drawing up a hemispheric plan of action against transnational organized crime, as an integrated plan that brings together the efforts being made by each OAS area on diverse aspects of the problem, with the participation of the various OAS bodies that have been working in this area, in accordance with the Declaration on Security in the Americas.

3. To encourage CICAD to intensify its efforts against illicit drug trafficking and related crimes associated with transnational organized crime, in accordance with the relevant decisions taken at its thirty-fourth and thirty-fifth sessions. In particular,

- a. Through existing expert and working groups, by reviewing CICAD's existing model regulations and other initiatives in order to consider the relevancy of incorporating aspects related to transnational organized crime;
- b. That the CICAD Executive Secretariat should conduct a study in close collaboration with the United Nations Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, to examine the relevancy of developing model regulations on transnational organized crime, taking into account the results of the Conference of the Parties to the Palermo Convention, held in June 2004; the responses to indicators 85 and 86 of the Multilateral Evaluation Mechanism on transnational organized crime; other initiatives in this area; available comments by the expert and working groups of CICAD; and proposals offered by states; and
- c. In close collaboration with the United Nations Office on Drugs and Crime, CICAD may hold workshops or seminars on the future application of the Palermo Convention with regard to illicit drug trafficking and related crimes associated with transnational organized crime.

4. To instruct the Permanent Council, taking into account the conclusions and recommendations adopted by REMJA-V, and by the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM-II), to convene a meeting of national authorities on trafficking in persons, with the participation, among other bodies, of the Inter-American Commission of Women, the Inter-American Children's Institute, the United Nations, the International Organization for Migration, and other appropriate international organizations, for the purpose of studying comprehensive cooperation mechanisms among the states to ensure the protection of and assistance to victims, crime prevention, and prosecution of its

perpetrators. Likewise, the meeting will facilitate the sharing of information and experiences, policy dialogue, and cooperation among countries of origin, transit, and destination in cases of trafficking in persons, as well as the establishment or improvement of statistical records in this regard.

5. To urge the member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as appropriate, and implementing as soon as possible the United Nations Convention against Transnational Organized Crime; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

6. To urge member states that are party to or signatories of the Palermo Convention and the two protocols thereto that are currently in force to work jointly at the First Conference of the Parties, to be held from June 28 to July 9, 2004, to facilitate the application of these important international instruments.

7. To urge member states to hold both regional and national seminars and training workshops on the various aspects of transnational organized crime.

8. To instruct the Permanent Council of the Organization to follow up on this resolution and to present a report on its implementation to the General Assembly at its thirty-fifth regular session.

9. To instruct the Secretary General of the Organization to continue providing the secretariat services required to carry out the measures envisaged in this resolution, in accordance with the resources allocated in the program-budget of the Organization and other resources.

AG/RES. 2027 (XXXIV-O/04)

THE HUMAN RIGHTS OF ALL MIGRANT WORKERS AND THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the report on this topic contained in the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1);

TAKING INTO ACCOUNT:

Its resolutions AG/RES. 1717 (XXX-O/00), AG/RES. 1775 (XXXI-O/01), AG/RES. 1898 (XXXII-O/02), and AG/RES. 1928 (XXXIII-O/03);

The annual report of the Inter-American Commission on Human Rights (CP/doc.3844/04), especially the chapter on the situation of migrant workers and members of their families in the Hemisphere; and

The draft Inter-American Program for the Promotion and Protection of the Human Rights of Migrants in the Framework of the Organization of American States (CP/CAJP-2038/03), prepared by the Inter-American Commission on Human Rights;

REAFFIRMING that the American Declaration of the Rights and Duties of Man proclaims that all persons are equal before the law and have the rights and duties established therein, without distinction as to race, sex, language, creed, or any other factor;

EMPHASIZING that the American Convention on Human Rights recognizes that the essential rights of the human individual are not derived from the fact that a person is a national of a certain state, but are based upon attributes of the human personality;

REAFFIRMING that the principles and standards set forth in the American Declaration of the Rights and Duties of Man and in the American Convention on Human Rights take on special importance with respect to protection of the rights of migrant workers and their families;

CONSIDERING:

That the Heads of State and Government, gathered at the Third Summit of the Americas, recognized the cultural and economic contributions made by migrants to receiving societies as well as to their communities of origin and committed to ensure dignified, humane treatment with applicable legal protections and to strengthen mechanisms for hemispheric cooperation to address their legitimate needs;

That in the Declaration of Nuevo León of the Special Summit of the Americas, the Heads of State and Government highlighted the importance of cooperation among countries of origin, countries

of transit, and receiving countries to ensure full protection of the human rights of all migrants, including migrant workers and their families, the defense of human rights, and safe and healthy labor conditions for migrants, and to adopt effective measures against trafficking in persons;

That practically all countries are countries of origin, countries of transit, and receiving countries for migrants and have the authority to regulate the immigration of persons into their territories, in accordance with international law, including international human rights law;

The positive contributions often made by migrants, both to their countries of origin and to the receiving countries, including their gradual incorporation into the receiving societies, and the efforts made by some receiving countries to integrate migrants;

The entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, on July 1, 2003; the installation and initiation of work of the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of their Families; and the entry into force of the Protocol against the Smuggling of Migrants by Land, Sea and Air, on January 28, 2004;

Advisory Opinion OC-16, "The Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law," issued by the Inter-American Court of Human Rights on October 1, 1999;

Advisory Opinion OC-18, "Legal Status and Rights of Undocumented Migrants," issued by the Inter-American Court of Human Rights on September 17, 2003; and

The judgment issued by the International Court of Justice on March 31, 2004, in the Case concerning Avena and Other Mexican Nationals;

BEARING IN MIND:

That, in the Strategic Plan for Partnership for Development 2002-2005 of the Inter-American Council for Integral Development (CIDI), support for vulnerable groups such as migrant workers was identified as a priority in the implementation of policies and programs to facilitate access to the labor market and to improve working conditions; and

That the Plan of Action of the Third Summit of the Americas provided for the establishment of an inter-American program within the OAS for the promotion and protection of the human rights of migrants, including migrant workers and their families, taking into account the activities of the Inter-American Commission on Human Rights (IACHR) and supporting the work of the IACHR Special Rapporteurship on Migrant Workers and Their Families and of the Office of the Special Rapporteur on the Human Rights of Migrants of the United Nations Commission on Human Rights;

EXPRESSING its satisfaction at the establishment of the Working Group of the Committee on Juridical and Political Affairs to Prepare an Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, at the commencement of its activities, and at the progress made in the fulfillment of its mandate;

TAKING NOTE of the offer by the Ibero-American Federation of Ombudsmen to collaborate with the Working Group on its activities;

CONCERNED over the extremely vulnerable situation in which many migrant workers and their families find themselves and over the persistent obstacles that prevent them from fully exercising their human rights; and

BEARING IN MIND that migrants are often victims of mistreatment, discrimination, racism, and xenophobia,

RESOLVES:

1. To vehemently condemn manifestations or acts of racism, racial discrimination, xenophobia, and related forms of intolerance against migrants, as well as all forms of racism, racial discrimination, xenophobia, and related forms of intolerance with respect to access to employment, professional training, housing, instruction, health services, social services, and services to the public.

2. To reaffirm the duty of states parties to the 1963 Vienna Convention on Consular Relations to comply with that Convention, including the right to communication between consular officers and their nationals in case of detention and the obligation of the states parties in whose territory the detention occurs to inform the foreign national of that right; and, in that connection, to call the attention of states to Advisory Opinion OC-16 of the Inter-American Court of Human Rights and to the ruling of the International Court of Justice of March 31, 2004, in the case concerning Avena and other Mexican nationals, on the obligation to comply with Article 36 of the Vienna Convention.

3. To call the attention of the states to Advisory Opinion OC-18 of the Inter-American Court of Human Rights, which holds that the migratory status of a person cannot constitute a justification to deprive him of the enjoyment and exercise of human rights, including those of a labor-related nature.

4. To encourage dialogue and cooperation among member states so as to improve their migration policies and practices with a view to providing adequate protection of all migrants, migrant workers, and their families.

5. To urge member states to consider the signature and ratification of, ratification of, or accession to the inter-American human rights instruments, as the case may be, and to take the necessary measures to guarantee the human rights of all migrants, including migrant workers and their families.

6. To acknowledge with appreciation the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; and, accordingly, to urge member states to consider, as appropriate, signing and ratifying that instrument.

7. To instruct the Permanent Council:
  - a. To renew the mandate of the Working Group of the Committee on Juridical and Political Affairs to Prepare an Inter-American Program for the Promotion and Protection of the Human Rights of Migrants so that, as soon as possible, it may draft the proposed Inter-American Program, on the basis of the draft presented by the Inter-American Commission on Human Rights (IACHR) and the proposals of member states, specialized organizations, and other bodies, in accordance with the mandate of the Third Summit of the Americas, held in Quebec City;
  - b. To convene a special meeting of the Working Group during the third quarter of 2004, to facilitate the drafting of the Inter-American Program, with the participation of government experts; relevant organs, agencies, and entities of the inter-American system; other international organizations; and civil society organizations, pursuant to the draft agenda attached to this resolution; and
  - c. To continue supporting the work of the IACHR in this area and to take into account the efforts of other international organizations on behalf of migrant workers and their families, with a view to helping to improve their situation in the Hemisphere and, in particular and where applicable, the efforts of the Special Rapporteur on the Human Rights of Migrants of the United Nations Commission on Human Rights and those of the International Organization for Migration (IOM).
8. To instruct the relevant organs, agencies, and entities of the Organization to support, upon request, the efforts of the Working Group and to participate actively in the drafting of the proposed Inter-American Program.
9. To request the Inter-American Agency for Cooperation and Development (IACD) to strengthen communication and coordination with the IACHR, the IOM, the International Labour Organization (ILO), and other pertinent organizations, agencies, and entities and that, in that context, it follow up in particular on IACD partnership-for-development activities, under the Strategic Plan for Partnership for Development 2002-2005, related to the situation of migrant workers and members of their families.
10. To entrust the Inter-American Commission on Human Rights with:
  - a. Considering the advisability of participating in joint cooperation projects conducted by the IACD in this area;
  - b. Continuing to support the Working Group to Prepare an Inter-American Program for the Promotion and Protection of the Human Rights of Migrants through its Special Rapporteurship on Migrant Workers and Their Families;

- c. Providing the Special Rapporteurship with the necessary and appropriate means to perform his or her duties, within the resources allocated in the program-budget of the Organization and other resources; and
- d. Presenting to the Permanent Council a report on the status of the rights of all migrant workers and their families prior to the thirty-fifth regular session of the General Assembly.

11. To invite member states, permanent observers, the organs, agencies, and entities of the inter-American system, and others to contribute to the Voluntary Fund of the Special Rapporteurship on Migrant Workers and Their Families of the IACHR.

12. Also to invite member states to consider inviting the Special Rapporteur on Migrant Workers and Their Families to visit their countries to enable said Rapporteur to perform his or her functions effectively.

13. To urge all member states to participate constructively in the International Labour Conference, to be held in June 2004, with a view to achieving consensus on the consideration of its agenda item "Migrant workers (*general discussion based on an integrated approach*)."

14. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources.

APPENDIX

AGENDA FOR A SPECIAL MEETING  
OF THE WORKING GROUP OF THE COMMITTEE ON JURIDICAL AND POLITICAL  
AFFAIRS TO PREPARE AN INTER-AMERICAN PROGRAM WITHIN THE OAS FOR THE  
PROMOTION AND PROTECTION OF THE HUMAN RIGHTS OF MIGRANTS

“Identification of proposals, best practices, and specific activities for preparing an Inter-American Program within the OAS for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families”

Washington D.C. - September 16 and 17, 2004

(Approved by the Working Group on May 3, 2004)

- I. Inaugural session
- II. Draft Inter-American Program for the Promotion and Protection of the Human Rights of Migrants in the Framework of the Organization of American States, prepared by the Inter-American Commission on Human Rights (IACHR)
- III. Experiences of the organs, agencies, and entities of the OAS
- IV. Experiences of other organizations
- V. Dialogue among governmental experts from the member states
- VI. Preliminary conclusions of the rapporteur of the meeting



AG/RES. 2028 (XXXIV-O/04)

INTER-AMERICAN PROGRAM OF COOPERATION TO PREVENT AND REMEDY CASES  
OF INTERNATIONAL ABDUCTION OF CHILDREN BY ONE OF THEIR PARENTS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The observations and recommendations of the Permanent Council on the annual reports of the organs, agencies, and entities of the Organization (AG/doc.4332/04), in particular as they pertain to the Annual Report of the Inter-American Children's Institute (IIN) to the General Assembly (CP/doc.3852/04); and

The Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents (AG/doc.4343/04);

BEARING IN MIND the Hague Convention on the Civil Aspects of International Child Abduction, of October 25, 1980; the Inter-American Convention on the International Return of Children, of July 15, 1989; and the Convention on the Rights of the Child, of November 20, 1989;

RECALLING its resolutions AG/RES. 1691 (XXIX-O/99), "International Abduction of Minors by One of Their Parents"; AG/RES. 1733 (XXX-O/00), "Inter-American Year of the Child and the Adolescent"; AG/RES. 1742 (XXX-O/00), "International Abduction of Minors by One of Their Parents"; and AG/RES. 1835 (XXXI-O/01), AG/RES. 1891 (XXXII-O/02), and AG/RES. 1958 (XXXIII-O/03), "Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Minors by One of Their Parents";

CONSIDERING:

That, pursuant to resolution AG/RES. 1891 (XXXII-O/02), the Meeting of Government Experts on the International Abduction of Minors by One of Their Parents was held in Montevideo, Uruguay, on August 12 and 13, 2002, and gave rise to recommendations for a draft Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents; and

That the Draft Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents was presented to the Directing Council of the IIN at its 78th regular meeting, held in Santiago, Chile, in June 2003, and was later considered by the Directing Council at a special meeting held in Washington, D.C., in November 2003, which adopted resolution CD/RES. 03 (E/03);

REITERATING:

That the abduction of children by one of their parents is a problem with dire repercussions on their integral development and their well-being and one that may be exacerbated by the increasing movement of persons across national borders in a progressively more globalized society; and

That the Plan of Action of the Third Summit of the Americas recognizes that promoting the rights of children and their development, protection, and participation is essential to ensure that they reach their full potential, and encourages cooperation to reduce cases of international abduction of children by one of their parents; and

CONSIDERING the need to implement the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents,

RESOLVES:

1. To accept the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents and to recognize the work of the Inter-American Children's Institute (IIN) in this area.

2. To urge member states to sign and ratify, ratify, or accede to, as the case may be, the 1980 Hague Convention on the Civil Aspects of International Child Abduction and the Inter-American Convention on the International Return of Children, of July 15, 1989, and to urge the states parties to either of those Conventions to designate the appropriate central authorities and make them operational.

3. To urge member states to make their best efforts, in the framework of the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents, to promote and strengthen the work of their government institutions so that, through inter-American cooperation activities, they may prevent the international abduction of children and adopt effective measures for their prompt return when they are abducted from or wrongfully retained outside their country of habitual residence, and so that visitation, custody, or guardianship rights are not violated.

4. To urge member states to promote the application of the Inter-American Program and to invite the Inter-American Children's Institute to lend its technical support, in particular through coordination with the central authorities and through cooperation with other international organizations having expertise in this field.

5. To instruct the organs, agencies, and entities of the Organization, in particular the IIN, to continue directing their attention to the issue of the international abduction of children by one of their parents.

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6. To direct that appropriate resources be allocated in the program-budget of the Organization for the development and implementation of the Inter-American Program, and to invite the states, international and regional organizations, and civil society organizations interested in this subject to collaborate and make financial contributions toward its application.

7. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2029 (XXXIV-O/04)

AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1022 (XIX-O/89), AG/RES. 1479 (XXVII-O/97), AG/RES. 1549 (XXVIII-O/98), AG/RES. 1610 (XXIX-O/99), AG/RES. 1708 (XXX-O/00), AG/RES. 1780 (XXXI-O/01), AG/RES. 1851 (XXXII-O/02), and AG/RES. 1919 (XXXIII-O/03);

BEARING IN MIND that, since resolution AG/RES. 1022 (XIX-O/89) of 1989, the General Assembly has requested the Inter-American Commission on Human Rights (IACHR) "to prepare a juridical instrument relative to the rights of the Indian peoples" and that, by resolution AG/RES. 1610 (XXIX-O/99), the General Assembly established a Working Group of the Permanent Council to consider the "Proposed American Declaration on the Rights of Indigenous Peoples," presented by the IACHR (CP/doc.2878/97 corr. 1);

CONSIDERING the commitments undertaken by the Heads of State and Government in the Declaration and Plan of Action of the Third Summit of the Americas, held in Quebec City, and renewed in the Declaration of Nuevo León, at the Special Summit of the Americas, in Monterrey, Mexico, in January 2004, when they supported an early and successful conclusion of negotiations on the Draft American Declaration on the Rights of Indigenous Peoples;

ACKNOWLEDGING the important contributions received by the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples and the efficient work of the Selection Board in the selection process for representatives of the indigenous peoples to receive financing from the Specific Fund;

NOTING WITH SATISFACTION the holding of three meetings of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples in the final phase of negotiations in pursuit of points of consensus among representatives of the member states and representatives of the indigenous peoples, in keeping with the mandate issued in operative paragraph 4, subparagraphs (a), (b), and (d), of resolution AG/RES. 1919 (XXXIII-O/03); and

HAVING SEEN the report of the Chair of the Working Group on activities carried out over the past year, which pointed out, in particular, the progress made at the three meetings held in the final phase of negotiations in pursuit of points of consensus, in Washington, D.C., in November 2003 and in January and April 2004,

RESOLVES:

1. To reaffirm as a priority of the Organization of American States the adoption of the American Declaration on the Rights of Indigenous Peoples, emphasizing the importance of effective participation by the indigenous peoples in the process of preparing the draft Declaration.

2. To commend the final phase of negotiations initiated by the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples, in which negotiation meetings were arranged in pursuit of a consensus and an early and successful conclusion of the draft Declaration.

3. To renew the mandate of the Working Group so that it may continue the final phase of negotiations on the draft Declaration, starting from the consolidated text of the draft Declaration prepared by the Chair of the Working Group (GT/DADIN/doc.139/03) and considering the proposed Declaration presented by the Inter-American Commission on Human Rights (CP/doc.2878/97 corr. 1) and the proposals by member states, representatives of indigenous peoples, specialized organizations of the inter-American system, and other entities.

4. To request the Permanent Council to instruct the Working Group:

- a. In the framework of the next meeting of negotiations, to recommend a date for conclusion of the final phase of negotiations for the adoption of the Draft American Declaration on the Rights of Indigenous Peoples, with participation by one indigenous representative from each member state of the Organization, designated by the respective indigenous peoples. The Permanent Council will be informed of the said decision through the Committee on Juridical and Political Affairs;
- b. When the Permanent Council has been informed of the said date, to continue to strengthen the methodology for the process and to establish the dates and procedures for the meetings needed to reach the aforementioned objective, taking into account the participation of the indigenous peoples;<sup>17/</sup>
- c. To take the appropriate measures to ensure continuing transparency of and effective participation by representatives of indigenous peoples in the negotiation meetings in pursuit of points of consensus;
- d. To convene, when appropriate, a special meeting of the Working Group, with broad and effective participation by representatives of indigenous peoples, which should examine the status of the process and assess the level of consensus reached on the draft Declaration; and
- e. To determine, when appropriate, the steps to be taken for final adoption of the draft American Declaration on the Rights of Indigenous Peoples, should substantial progress be achieved in the negotiations phase.

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17. The following statement by Canada has been presented regarding operative paragraphs 4.a and 4.b:  
Canada's understanding of the resolution is that one of the possible outcomes of the decision to be taken at the next meeting of negotiations on a date for the conclusion of the final phase of negotiations for the adoption of the draft American Declaration on the Rights of Indigenous Peoples is that it may be inappropriate or premature to fix a date at that time. It is also our understanding that in discussions on the strengthening of the methodology of the process and the establishment of dates and procedures for the relevant meetings, it will also be necessary to discuss the financing of this process.

5. To thank the member states, permanent observers, and institutions for their valuable contributions to the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples and to invite them to continue supporting the objectives of the Fund with their contributions.

6. To invite the governments of the member states to continue to conduct domestic consultations with their indigenous peoples on the draft Declaration and to promote information exchanges among countries regarding those consultations.

7. To request the Secretary General to enhance coordination, awareness, and promotion of activities on indigenous issues among the various pertinent organs, agencies, and entities of the Organization and to promote the exchange of information and coordination with multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere on these activities.

8. To request the Inter-American Commission on Human Rights and its Special Rapporteur on Indigenous Peoples, and the General Secretariat of the Organization to continue to lend their valuable support to the process of drafting the American Declaration on the Rights of Indigenous Peoples; and to thank them for their ongoing contributions to that process.

9. To invite the multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere to contribute, in their areas of competence, to establishing a process of dialogue and consultation with indigenous peoples and to facilitate the exchange of information and coordination with other bodies of the inter-American system on activities relating to indigenous peoples, including activities undertaken in the context of the Summits of the Americas process.

10. To request the Permanent Council to follow up on this resolution, which will be implemented within the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at its thirty-fifth regular session.

AG/RES. 2030 (XXXIV-O/04)

STRENGTHENING OF HUMAN RIGHTS SYSTEMS PURSUANT TO THE  
PLAN OF ACTION OF THE THIRD SUMMIT OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1) and resolutions AG/RES. 1828 (XXXI-O/01), AG/RES. 1890 (XXXII-O/02), and AG/RES. 1925 (XXXIII-O/03);

REAFFIRMING that the universal protection and promotion of human rights, including civil, cultural, economic, political, and social rights, as well as respect for the rules and principles of international humanitarian law, based on the principles of universality, indivisibility, and interdependence, are fundamental to the functioning of democratic societies; and stressing the importance of respect for the rule of law, effective and equal access to justice, and participation by all elements of society in public decision-making processes;

EXPRESSING that greater autonomy for the Inter-American Commission on Human Rights (IACHR), in the context of the Charter of the Organization of American States, the American Convention on Human Rights, and the Statute and the Rules of Procedure of said Commission, will lead to improvements in the inter-American human rights system;

BEARING IN MIND the Declaration of Quebec City and the Plan of Action of the Third Summit of the Americas; and

CONSIDERING:

That it is a fundamental responsibility of the Organization to provide appropriate follow-up to the mandates of the Third Summit of the Americas regarding the strengthening of the inter-American human rights system; and

That, in addition, the Organization can serve as a forum for contributing to the efforts of member states to develop and strengthen national systems for the promotion and protection of human rights; and

WELCOMING the initiative taken by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to conduct a process of reflection aimed at strengthening the inter-American human rights system so as to enhance the full exercise and protection of human rights in the Hemisphere,

RESOLVES:

1. To reaffirm the commitment of member states to continue strengthening and improving the inter-American system for the promotion and protection of human rights and, within that framework, their support for the functioning of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights.

2. To reaffirm the will of the Organization of American States to continue to take concrete measures aimed at implementing the mandates of the Heads of State and Government on the strengthening and improvement of the inter-American human rights system, as set forth in the Plan of Action of the Third Summit of the Americas, namely:

- a. Universalization of the inter-American human rights system;
- b. Compliance with judgments of the Inter-American Court of Human Rights and follow-up of the recommendations of the Inter-American Commission on Human Rights;
- c. Facilitation of access for individuals to the inter-American human rights system;
- d. A substantial increase in the budget of the Inter-American Court of Human Rights and that of the Inter-American Commission on Human Rights so that, within a reasonable time, they may address their growing activities and responsibilities; and
- e. Examination of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may operate on a permanent basis, taking into account, among other things, the views of those organs.

3. To underscore recent progress made in the specific areas of the inter-American human rights system identified in the Plan of Action of the Third Summit of the Americas, namely:

- a.
  - i. Ratification by Argentina of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights, or "Protocol of San Salvador"; and
  - ii. Ratification by Colombia and Ecuador of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities;
- b. The voluntary contributions made, to facilitate the work of the organs of the inter-American human rights system, by Brazil, Costa Rica, and Mexico to the Inter-American Court of Human Rights; and by Brazil, Mexico, and the United States; Denmark, Finland, France, Spain, Sweden, as well as the



- Inter-American Development Bank and the European Commission, to the Inter-American Commission on Human Rights;
- c. Application of the new Rules of Procedure of the Inter-American Court of Human Rights and those of the Inter-American Commission on Human Rights; and
  - d. The ongoing support from member states for the organs of the inter-American human rights system and the important work of those organs to protect and promote human rights in the Hemisphere.
4. To instruct the Permanent Council to complement and consolidate the progress referred to in operative paragraph 3 by:
- a. Continuing to examine ways to bring about an effective and adequate increase in the financial resources allocated to the organs of the inter-American human rights system in the program-budget of the Organization;
  - b. Supporting initiatives taken by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to request funding from international and regional agencies, to further the activities of the organs of the inter-American system for the promotion and protection of human rights;
  - c. Encouraging, in addition, OAS member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights;
  - d. Continuing to consider ways to promote compliance with the judgments of the Court and follow-up on the recommendations of the Inter-American Commission on Human Rights by the member states;
  - e. Continuing to analyze the priorities for improvement of the inter-American human rights system, including consideration of the possibility that the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights may come to operate on a permanent basis, taking into account related information provided by the presidents of both organs;
  - f. Requesting the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to:
    - i. Continue to report on the correlation between, on the one hand, their respective Rules of Procedure and the amendments thereto that they adopt, and, on the other, the provisions of their respective Statutes and of the American Convention on Human Rights; and
    - ii. Report on the impact and the meaning in practice of these regulatory reforms for the work of both organs and for the strengthening of the system; and

- g. Proposing standards for the preparation of periodic reports on progressive measures adopted by the states parties to the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights, or "Protocol of San Salvador," as provided in Article 19 of that legal instrument, in consultation with the Inter-American Commission on Human Rights and taking into account the contributions of the Inter-American Institute of Human Rights.

5. To instruct the Permanent Council to engage in a broad process of reflection on the inter-American system for the promotion and protection of human rights, in which it may elicit the opinion of member states, specialized agencies of the inter-American human rights system, nongovernmental organizations, national human rights institutes, academic institutions, and experts in the field, regarding:

- a. The major challenges facing the inter-American system for the promotion and protection of human rights in the Hemisphere;
- b. Possible actions to strengthen and improve the system; and
- c. The advisability of convening an inter-American human rights conference.

In keeping with the foregoing, to present a report thereon to the General Assembly at its thirty-fifth regular session for consideration.

6. To instruct the Secretary General to promote accession to all inter-American human rights instruments, as appropriate.

7. To promote the strengthening of national systems for the protection and promotion of human rights in member states and, to that end, to request the pertinent organs, agencies, and entities of the Organization to develop cooperative relations and information exchange with, *inter alia*, the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas and the Ibero-American Federation of Ombudsmen.

8. To instruct the areas, units, and offices of the General Secretariat involved with human rights issues to work with the Permanent Council in implementing this resolution.

9. To request the Permanent Council to follow up on this resolution, which will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at its thirty-fifth regular session.

AG/RES. 2031 (XXXIV-O/04)

XIX PAN AMERICAN CHILD CONGRESS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT its resolutions AG/RES. 1951 (XXXIII-O/03), "Promotion and Protection of the Human Rights of Children in the Americas," and AG/RES. 1961 (XXXIII-O/03), "Nineteenth Pan American Child Congress";

REAFFIRMING its commitment to create a world fit for children, in which sustainable human development, taking into account the best interests of the child, is founded on principles of democracy, equality, nondiscrimination, peace, and social justice, and the universality, indivisibility, interdependence, and interrelatedness of all human rights, including the right to development;

CONSIDERING the appeal made in the Plan of Action of the Third Summit of the Americas, held in Quebec City, for full integration of the human rights of children and adolescents into the work of hemispheric institutions, and the important work being done by the Organization of American States, through its specialized organizations and conferences and its organs, agencies, and entities, to protect and promote the human rights of children;

BEARING IN MIND the XIX Pan American Child Congress, to be held in Mexico in October 2004, at which the Inter-American Children's Institute will serve as Executive Secretariat; and

JOINING in the celebration of the 10th anniversary of the International Year of the Family, proclaimed in 1994 by the United Nations General Assembly in resolution 44/82,

RESOLVES:

1. To express its satisfaction with the upcoming XIX Pan American Child Congress, whose central theme is the family, as it is the foundation of the integral development of children and adolescents, and to offer its full support for a successful outcome to the Congress.
2. To reiterate the resolve of the states to intensify their efforts and inter-American cooperation aimed at advancing policies to promote, protect, and publicize the human rights of children.
3. To recommend to the Permanent Council that, when it adopts the agenda for the XIX Pan American Child Congress, it take into consideration the items proposed by the Organizing Committee, especially the child-family relationship, intra-family violence and its impact on the development of children, current family law, and the part played by the media in establishing a culture of respect for the rights of the child.

4. To take note of the report presented by the Inter-American Children's Institute on the implementation of resolution AG/RES. 1951 (XXXIII-O/03), contained in document CP/doc.3848/04, and to request the General Secretariat to prepare a comprehensive report on the work of all the organs, agencies, and entities of the Organization involved in protecting and promoting the human rights of children, which would include an evaluation of needs and perspectives, both institutional and related to cooperation, to strengthen those efforts, and to present it to the Permanent Council for consideration.

5. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution and on the outcome of the XIX Pan American Child Congress.

AG/RES. 2032 (XXXIV-O/04)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1), in particular as it pertains to the implementation of resolution AG/RES. 1921 (XXXIII-O/03), "Inter-American Program for the Development of International Law";

TAKING NOTE of the Report on the Inter-American Program of International Law: Activities of the Secretariat for Legal Affairs (June 2003-February 2004) (CP/CAJP-2110/03);

**Commented [KL7]:** Actual title of corr. 1 of CP/CAJP-2110/03, which is the version I was able to locate. KRL

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 it adopted the Inter-American Program for the Development of International Law [AG/RES. 1471 (XXVII-O/97)]; and

**Commented [KL8]:** This is in fact AG/DEC. 12. It is incorrect in the 2003 General Assembly resolutions. KRL

CONSIDERING ALSO that the General Assembly has been reaffirming its support for said Program in its 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), and AG/RES. 1845 (XXXII-O/02),

RESOLVES:

1. To reaffirm the importance of the Inter-American Program for the Development of International Law and to reiterate its support for it.

2. To underscore the need for continued implementation of the measures set out in the Inter-American Program for the Development of International Law, and to instruct the General Secretariat to continue, through the Secretariat for Legal Affairs, to implement that Program.

3. To acknowledge the work of the Secretariat for Legal Affairs in editing and publishing reports on the events it organizes and in updating legal information through its publications and web page, and to encourage it to continue expanding the services provided by these means to the member states.

**Commented [KL9]:** The OAS has a Web site, but the Secretariat for Legal Affairs has a Web page within the OAS Web site. KRL

4. To invite member states to promote the study of inter-American law in law schools, diplomatic academies, and other centers for specialized studies, and to establish chairs of international law dedicated to expanding knowledge of the inter-American system, with the assistance and advice of the Secretariat for Legal Affairs.

**Commented [KL10]:** Spanish reads: "que por esas vías se brindan ..." KRL

5. To urge the General Secretariat to continue conducting, through the Secretariat for Legal Affairs, the Workshops on International Law and the Course on International Law in Rio de Janeiro, which it organizes jointly with the Inter-American Juridical Committee, promoting subregional courses on developments in specific subject areas in the framework of the OAS, and providing its assistance and guidance to member states in promoting the study of inter-American law.

6. To urge the Permanent Council and the General Secretariat to study ways to improve the dissemination and distribution of the Organization's legal information, including the sale of its publications in all the official languages.

7. To request the Permanent Council to instruct the Committee on Juridical and Political Affairs to hold a meeting in the second half of 2004 to share experiences on the treatment given to inter-American law by diplomatic academies and other training facilities for public officials.

8. To request the Permanent Council to follow up on the implementation of this resolution, in accordance with the resources allocated in the program-budget of the Organization and other resources, and to present a report thereon to the General Assembly at its thirty-fifth regular session.

AG/RES. 2033 (XXXIV-O/04)

INTER-AMERICAN SPECIALIZED CONFERENCES ON PRIVATE INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1) as it pertains to the Inter-American Specialized Conferences on Private International Law; and

CONSIDERING:

That the General Assembly, in resolution AG/RES. 1923 (XXXIII-O/03), convened the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII) and instructed the Permanent Council to conduct, with the assistance of the General Secretariat, consultations with member states on the agenda for CIDIP-VII and on possible dates and venues;

That the Permanent Council entrusted the Committee on Juridical and Political Affairs (CAJP) with carrying out the mandates in resolution AG/RES. 1923 (XXXIII-O/03);

That, in a note dated October 22, 2003, the Chair of the CAJP asked the member states to submit their proposals for the CIDIP-VII agenda;

That the General Secretariat, through the Department of International Law of the Secretariat for Legal Affairs, prepared a study entitled "Selection of Agenda Topics for the Seventh Inter-American Specialized Conference on Private International Law" (CP/CAJP-2094/03) in order to help member states and the CAJP in their deliberations on the agenda;

That several delegations have presented their proposals for a draft agenda to the Chair of the CAJP (CP/CAJP-2094/03 and add. 1-7); and

That, with regard to the previous Specialized Conference (CIDIP-VI), the General Assembly, in resolution AG/RES. 1922 (XXXIII-O/03), instructed the General Secretariat to facilitate consultations with groups of experts and develop mechanisms and strategies for following up on the promotion, adoption, and implementation of documents approved at CIDIP-VI and for fostering broader consultation among member states,

RESOLVES:

1. To urge those member states that have not done so to present their proposals and observations on a possible agenda for the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII).

2. To request the Permanent Council, with the assistance of the General Secretariat, to study the topics proposed by the member states and their feasibility for inclusion on the agenda of CIDIP-VII.

3. To instruct the Permanent Council to continue its consultations on possible dates and venues for CIDIP-VII.

4. To request the Inter-American Juridical Committee to contribute to the preparatory work for CIDIP-VII, once the Permanent Council has approved the agenda for the Conference.

5. To request the General Secretariat to explore means of collaboration with international organizations, including the Hague Conference on Private International Law, the United Nations Commission on International Trade Law (UNCITRAL), the International Institute for the Unification of Private Law (UNIDROIT), and the Inter-American Development Bank, among others, involved in the process of drafting and promoting international instruments compatible with those developed in the CIDIP process.

6. To request the General Secretariat to include, in due course, such items as may be required in the proposed program-budget of the Organization, within available resources, to begin the necessary preparatory work for CIDIP-VII.

7. To urge those member states that have not yet done so to consider enacting legislation consistent with the Model Inter-American Law on Secured Transactions, adopted at the Sixth Inter-American Specialized Conference on Private International Law and, to that end, to request support from the General Secretariat.

8. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



AG/RES. 2034 (XXXIV-O/04)

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST  
CORRUPTION AND ITS PROGRAM FOR COOPERATION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1);

BEARING IN MIND the mandates contained in resolution AG/RES. 1943 (XXXIII-O/03), "Follow-up on the Inter-American Convention against Corruption and Its Program for Cooperation";

RECALLING that the Plan of Action of the Third Summit of the Americas, held in Quebec City, devotes a special chapter to the fight against corruption and that commitments are made therein on the Inter-American Convention against Corruption, the Inter-American Program for Cooperation in the Fight against Corruption, and the establishment of a follow-up mechanism for implementation of said Convention, as well as the strengthening of the Inter-American Network for Cooperation against Corruption, the strengthening of civil society participation in the respective states in the fight against corruption, and the adoption of policies, processes, and mechanisms to protect the public interest;

CONSIDERING the importance of the Inter-American Convention against Corruption and the fact that it has been ratified by 30 OAS member states and that 28 of them now participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), which means that the number of states parties to the Convention and participating in the MESICIC has, in each case, increased by one over the past year;

BEARING IN MIND that, in the Declaration on Security in the Americas, the states of the Hemisphere reaffirmed their commitment to the fight against both passive and active corruption, which constitutes a threat to their security; stated that cooperation, mutual legal assistance, extradition, and concerted action to combat corruption constituted a political and moral imperative; and pledged to strengthen the MESICIC;

RECALLING that the Heads of State and Government, in the Declaration of Nuevo León, recognized "that corruption and impunity weaken public and private institutions, erode social values, undermine the rule of law, and distort economies and the allocation of resources for development"; pledged, *inter alia*, to increase their "cooperation within the framework of the Inter-American Convention against Corruption, particularly by strengthening its follow-up mechanism"; and charged the Conference of States Parties to the MESICIC with proposing "specific measures" to strengthen the mechanism;

RECALLING ALSO that, in the Declaration of Nuevo León, the Heads of State and Government expressed their concern regarding corrupt, illegal, and fraudulent practices in the management of some national and transnational enterprises, which could have a negative impact on economies, in particular those of developing countries and on their producers and consumers;

RECALLING FURTHER that, in the Declaration of Nuevo León, the Heads of State and Government also agreed to hold a meeting of the States Parties to the Inter-American Convention against Corruption, to take place in Managua, Nicaragua, in mid-2004;

WELCOMING the results of the First Conference of States Parties to the MESICIC and, in particular, the “Conclusions and Recommendations of Concrete Measures to Strengthen MESICIC” (SG/MESICIC/doc.103/04 rev. 6), which is appended to this resolution;

WELCOMING ALSO the work of the Committee of Experts of the MESICIC, since its inception, which is referred to in the report it presented to the Conference of States Parties to the MESICIC for consideration (SG/MESICIC/doc.95/04 rev. 4);

TAKING INTO ACCOUNT that the OAS General Secretariat has been performing the functions of the MESICIC secretariat and that, as part of the measures for implementation of the mandate issued in the Declaration of Nuevo León, the Conference of States Parties to the MESICIC recommended that the General Assembly adopt certain decisions in relation to the strengthening of the Technical Secretariat of the MESICIC and to its mission; and

WELCOMING the signing by numerous states of the Hemisphere of the United Nations Convention against Corruption, adopted in Mérida, Mexico, on December 9, 2003,

RESOLVES:

1. To urge those member states of the Organization that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Inter-American Convention against Corruption and to participate in the follow-up mechanism for its implementation.
2. Likewise, to encourage those member states of the Organization that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the United Nations Convention against Corruption, so that it may enter into force as soon as possible.
3. To urge the states parties to the Inter-American Convention against Corruption to take any measures they deem necessary to adjust their domestic legislation and comply with the commitments they undertook upon ratification of or accession to the Convention.
4. To urge the states parties to the Inter-American Convention against Corruption to improve, on the basis of the Convention and applicable laws and treaties, regional mechanisms for mutual legal assistance in criminal matters and to apply them, in order to respond to requests from authorities who, under their domestic law, are authorized to investigate or prosecute the acts of corruption described in the Convention, with a view to combating impunity.

5. To support the strengthening of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) and, in that connection:

- a. To express its satisfaction with the First Meeting of the Conference of States Parties to the MESICIC, held on April 1 and 2, 2004, in Washington, D.C.;
- b. To endorse the “Conclusions and Recommendations of Concrete Measures to Strengthen MESICIC (SG/MESICIC/doc.103/04 rev. 6), adopted at the First Meeting of the Conference of States Parties to the MESICIC;
- c. To express its satisfaction with the decision taken at that meeting to strengthen the Conference of States Parties to the MESICIC as a political forum for addressing topics of hemispheric cooperation against corruption, and with the decision to grant its Chair the power to follow up on the decisions of said Conference and report to the states parties when appropriate;
- d. To express its satisfaction with the work of the Committee of Experts of the MESICIC and, in particular, with the adoption of the reports, in the context of the first round, of Argentina, Paraguay, Colombia, Nicaragua, Uruguay, Panama, Ecuador, and Chile; and to urge the Committee to continue this process, taking into account the conclusions and recommendations adopted by the Conference of the States Parties;
- e. To request the Secretary General, in pursuit of the conclusions and recommendations of the First Meeting of the Conference of States Parties to the MESICIC and, in keeping with Article 113 of the Charter of the Organization of American States, to make the necessary arrangements so that the Technical Secretariat that has been supporting the MESICIC, funded by the Regular Fund, is mainly tasked with rendering permanent services to that Mechanism within the Secretariat for Legal Affairs, ensuring that the other support services rendered by the Technical Secretariat for Legal Cooperation Mechanisms may continue in an efficient and uninterrupted manner;
- f. To request the General Secretariat to identify sources of internal OAS funding, such as the Regular Fund, and of external funding, such as international and regional financial institutions and official and other national agencies, to provide adequate funding for the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) and, when appropriate, for the full and effective implementation of its recommendations; and
- g. To express its satisfaction with the decision, taken at the First Meeting of the Conference of States Parties to the MESICIC, to accelerate the first round of the evaluation process.

6. To support the holding of a meeting of the states parties to the Inter-American Convention against Corruption, to take place in Managua, Nicaragua, on July 8 and 9, 2004, in accordance with the Declaration of Nuevo León, and, in relation to that meeting:

- a. To provide that the meeting shall be funded from resources available in subprogram 10W of the program-budget of the Regular Fund for 2004. Any additional expense, or expense not provided for in the Regular Fund, shall be covered by external funds or by the state hosting the meeting;
- b. To request the General Secretariat to render the necessary technical secretariat and administrative services for the preparation and holding of that meeting; and
- c. To instruct the Permanent Council and the Conference of the States Parties to the MESICIC to carry out appropriate follow-up of the results of the meeting of the states parties to the Convention, to be held in Managua, Nicaragua.

7. To request the General Secretariat to continue carrying out, in the execution of the Inter-American Program for Cooperation in the Fight against Corruption, technical cooperation activities to provide assistance in the signature or ratification of, or accession to, the Inter-American Convention against Corruption and in its implementation, and in the exchange of information and experiences among government authorities responsible for this area, including those of the Inter-American Network for Cooperation against Corruption.

8. To instruct the Permanent Council to follow up on this resolution, which will be carried out within the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at its thirty-fifth regular session.



MECHANISM FOR FOLLOW-UP ON THE  
IMPLEMENTATION OF THE INTER-AMERICAN  
CONVENTION AGAINST CORRUPTION (MESICIC)

First Meeting of the Conference of States Parties  
within the MESICIC framework  
April 1 – 2, 2004

APPENDIX

SG/MESICIC/doc.103/04 rev.6  
2 April 2004  
Original: Spanish

CONCLUSIONS AND RECOMMENDATIONS ON CONCRETE MEASURES  
TO STRENGTHEN MESICIC\*

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\* The “Conclusions and Recommendations on Concrete Measures to Strengthen MESICIC” were approved by the Conference of States Parties, by consensus, during the session held on April 2, 2004, in the First Meeting of the Conference of States Parties within the MESICIC framework, which took place at OAS Headquarters, Washington, D.C., United States of America, on April 1 to 2, 2004.



## CONCLUSIONS AND RECOMMENDATIONS ON CONCRETE MEASURES TO STRENGTHEN MESICIC

We, the States Parties to the Inter-American Convention against Corruption and members of the Follow-up Mechanism for its Implementation (MESICIC), meeting within the framework of our First Conference, pursuant to provision 5 of the *Report of Buenos Aires* at the headquarters of the Organization of American States on April 1-2, 2004, and taking in account:

That the Inter-American Convention against Corruption has as its objectives the promoting and strengthening the development of mechanisms needed to prevent, detect, punish, and eradicate corruption; and promoting, facilitating and regulating cooperation between States Parties;

That, in the Plan of Action of the Third Summit of the Americas, the Heads of State and Government decided to support “the establishment as soon as possible, taking into consideration the recommendation of OAS, of a mechanism for follow-up on the implementation of the Inter-American Convention against Corruption by States Parties to this instrument;”

That, in compliance with the above-mentioned mandate of the Third Summit of the Americas, on May 4, 2001, the States Parties approved the *Report of Buenos Aires*, which sets forth the purposes, principles and basic provisions on the organization and functioning of MESICIC, and ratified it by the declaration signed on June 4, 2001, on occasion of the thirty-first regular session of the General Assembly of the OAS held in San José, Costa Rica;

That the General Assembly of the OAS, by means of Resolutions 1784 (XXXI-O/01), 1785 (XXXI-O/01), 1870 (XXXII-O/02), and 1943 (XXXII-O/02), has recognized the importance of MESICIC and the progress achieved by its Committee of Experts;

That the *Report of Buenos Aires* provides that the functions of the Secretariat of the Mechanism will be exercised by the General Secretariat of the OAS; that the General Assembly of the Organization, by means of resolutions AG/RES. 1784 (XXXI-O/01), AG/RES. 1870 (XXXII-O/02), and AG/RES. 1943 (XXXIII-O/03), has requested the General Secretariat of the OAS to fulfill such functions, in accordance with the resources that are allocated in the program-budget and other resources; and that, in compliance with these mandates, the Secretary General of the OAS has taken the relevant administrative steps in conformity with the above-mentioned resources to provide these services for the Mechanism,

That, in the Declaration on Security in the Americas, approved in Mexico City on October 28, 2003, the States of the Western Hemisphere stated: “we reaffirm our commitment to the fight against both passive and active corruption, which constitutes a threat to the security of our States” and “we pledge to strengthen the Follow-up Mechanism of the Inter-American Convention against Corruption;”

That the Heads of State and Government, by means of the Declaration of Nuevo León approved at the Special Summit of the Americas held in Monterrey, Mexico on January 13, 2004, pledged to increase “cooperation within the framework of the Inter-American Convention against Corruption, particularly by strengthening its follow-up mechanism” and, regarding this, instructed



this Conference of the States Parties of the Mechanism to prepare “specific measures to strengthen this mechanism;”

That the work done by the Committee of Experts of MESICIC, since it began functioning in January 2002, deserves recognition, and as mentioned in the report that it has submitted to us (Document SG/MESICIC/doc. 95/04 rev.4), “provides a concise summary of the Committee’s activities. At the same time, it provides evidence that the Americas want to control and eradicate corruption. We have to increase economic, financial and human resources and disseminate our work further and better; to do this, we hope the Technical Secretariat will have the means to fully conduct its work. This will help each nation to move ahead and address the call of citizens and public opinion to fight against corruption”; and

That, also, the recommendations that the Committee of Experts of MESICIC transmitted us in its report to facilitate compliance with the mandate contained in the “Declaration of Nuevo León” should be considered,

*Hereby agree to the following:*

**I. STRENGTHENING AND MISSION OF THE TECHNICAL SECRETARIAT OF THE MECHANISM**

1. Recommend that the General Assembly of the OAS adopt the decisions that are most appropriate so:

- a) That the Secretary General of the OAS, in accordance with Article 113 of the Charter, take the necessary steps to ensure that the Technical Secretariat that has been supporting the MESICIC, funded by the OAS Regular Fund, have as its primary mission to provide permanent services to this Mechanism, within the Secretariat for Legal Affairs.

Said decision should be approved within the framework of an ample and comprehensive redistribution of duties to ensure that the different support services provided by the Technical Secretariat for Legal Cooperation Mechanisms can continue in an efficient and uninterrupted manner.

- b) That the Technical Secretariat be given the additional human and material resources for its strengthening by the Regular Fund of the Organization.

2. Recommend that while the measures referred to in the preceding paragraph are being adopted, the Technical Secretariat can continue to provide the services required by the Mechanism using voluntary contributions.

## **II. FUNDING THE MECHANISM**

3. Recommend that the States Parties that have contributed to funding of the Mechanism's activities consider continuing doing so and that those who have not contributed consider making contributions for this purpose, so that the Mechanism can continue to carry out its work efficiently and optimally.

4. Recommend that, in accordance with provision 9 of the "Document of Buenos Aires", the Secretariat identify of internal OAS funding sources, such as the Regular Fund, and external funding sources such as international and regional financial institutions, and official national organs and others to fund the five necessary areas for the adequate operations of the Mechanism and the effectiveness of its recommendations, which are: the Technical Secretariat; the operating costs relative to the review process and the meetings of the Committee of Experts and the Conference of States Parties; the participation of government experts at the committee meetings; implementing the Committee's recommendations in the States Parties; and the consideration of the topics of collective interest by the Committee and its technical cooperation.

In this context, it is requested that the Chair of the Permanent Council and the Secretary General of the OAS seek the support of the Inter-American Development Bank (IDB) for the financing of the MESICIC.

These external funding sources should not, however, under any circumstances, infringe on the independence of the Committee of Experts.

## **III. FREQUENCY OF THE COMMITTEE'S MEETINGS AND COUNTRY REPORTS**

5. Request the Committee that, taking into account the decisions adopted by the OAS General Assembly and the resources available, it adopt the measures that are needed to increase the review process within the framework of the first round, be it through the increase of the number of annual meetings from two to three, or through the increase of the number of draft country reports considered at each meeting, ensuring that 12 countries are reviewed per year. The measures that are adopted should take into account that the quality of these country reports is maintained.

6. Recommend that, if it is possible, the meetings of the Conference of States Parties of MESICIC be held immediately before or after the meetings of the Committee of Experts, in order to have a better exchange between the technical and political branches of the Mechanism.

7. Urge the Committee of Experts to complete the first review of all the applicable provisions of the Convention for all the States Parties as soon as possible, and that it try to present an estimated timeframe to the next meeting of the Conference of States Parties.

8. Request the Committee of Experts, based on the available resources, to consider the feasibility of including in its Rules provisions for site visits for all States for the purpose of gathering information within the review process. The site visits should be fully justified and carried out in agreement with the reviewed State.

#### **IV. SUPPORT FOR COMMITTEE MEMBERS**

9. Recommend to the States Parties that it take the necessary measures to ensure the participation of national experts at the meetings of the preliminary review subgroups and plenary sessions of the Committee and, to the extent possible, to ensure that their participation is permanent and continuous.

10. Recommend to the General Secretariat of the OAS that it continue managing the solidarity fund, funded by voluntary contributions with enough resources to support the participation in the Committee's meetings of the Experts of those States Parties that require it.

11. Promote training, wherever necessary, of experts of the States Parties.

#### **V. TRANSLATION SERVICES AND TECHNOLOGICAL SUPPORT**

12. Request the General Secretariat of the OAS to take the necessary measures to improve the quality and timeliness of the translation of the different versions of documents considered by the Committee, particularly the draft country reports.

13. Request the General Secretariat of the OAS to take the measures necessary to increase the number of computers with Internet access for use by the experts during the meetings of the Committee.

14. Suggest that, to the extent possible, the Committee's preliminary review subgroups use video-conferencing and other means to support and advance their work.

#### **VI. IMPLEMENTATION OF THE COMMITTEE'S RECOMMENDATIONS**

15. Endeavor to distribute the Committee's reports rapidly and efficiently to the bodies that, in accordance with their internal legal structure, are responsible for implementing the recommendations.

16. In accordance with the fundamental principles of its legal system, try to establish appropriate internal measures to follow up the implementation of the recommendations.

17. Recommend that the Committee promote the exchange of information on the experiences of the States Parties in the implementation of the Committee's recommendations.

#### **VII. REPORTING ON THE IMPLEMENTATION OF THE RECOMMENDATIONS**

18. Request the Committee, in conformity with its *Rules*, to adopt relevant measures for the purpose, in the framework of its meetings, of facilitating the submission of the information that the States Parties wish to provide on the implementation of the recommendations that the Committee has formulated.

#### **VIII. ROLE OF CIVIL SOCIETY**

19. Reiterate our support of the contribution of civil society organizations in the Committee's activities pursuant to the provisions of its *Rules*.

20. Recommend that the Committee study the feasibility to include in its *Rules* procedures to receive comments from civil society organizations regarding implementation of the Committee's recommendations.

21. Recommend that the States Parties, in accordance with its internal legislation, provide opportunities for civil society organizations to transmit to them their viewpoints and suggestions regarding the implementation of the Committee's recommendations.

#### **IX. RESPONSES TO THE QUESTIONNAIRE AND DISSEMINATION OF THESE ANSWERS AND COUNTRY REPORTS**

22. Urge those States that have not already done so to respond, as soon as possible, to the questionnaire adopted in the framework of the first round of review before the Committee's sixth meeting, and we request the Committee to conduct an appropriate follow-up of this decision at this meeting.

23. Urge those States that have not already done so to authorize the Technical Secretariat to publish on the Mechanism's Internet web page the responses to the questionnaire adopted in the framework of the first round of review and the updates of these responses, as well as the Committee's final reports regarding its respective States.

24. Urge each State Party to disseminate, among civil society and the media, the work of the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption and, in particular, the Committee's final reports, as deemed appropriate.

#### **X. COOPERATION**

25. Request that, in the framework of the Committee, the exchange of information, experiences, and best practices, and the harmonization of legislations, and mutual technical assistance and cooperation be strengthened among the States Parties, in order to promote the implementation of the Convention and contribute to achieving the purposes set forth in its Article II.

26. Request the Committee to continue giving appropriate consideration to the topics of collective interest referred to in Article 36, b) of its *Rules* and, regarding the first topic it selected in this field, relative to the regulatory framework to prevent corruption in public procurement, to continue developing the methodology adopted for its treatment.

27. Request that, where appropriate, States Parties' specialists on topics of collective interest participate in the Committee of Experts meetings.

28. Request that, in the framework of the Committee, the exchange of information on technical cooperation programs or projects, regarding the topics referred to by the Convention, continue to be promoted.

29. Request the Technical Secretariat to continue promoting cooperation and exchange of information between the Committee of Experts and other evaluation or follow-up mechanisms of international instruments or commitments and in particular with MEM (CICAD-OAS) and with the United Nations, taking into account the new forms of cooperation established in the United Nations Convention against Corruption, and with the GRECO (Council of Europe), and OECD. In so far as possible, the Committee and/or the Technical Secretariat will try to attend the meetings of the OECD's Working Group on Bribery in International Business Transactions, without disturbing the review process and within the resources available.

30. Recommend that the Committee of Experts, in the framework of Article 36 (b) and (c) of its *Rules*, to establish the necessary coordination that will allow it to seek expert advice, as it deems necessary, from Inter-governmental organizations and entities with expertise in the particular topic under review by the Committee or the particular provision of the Convention that it is analyzing.\*

## **XI. FUTURE ROUNDS**

31. Recommend to the Committee of Experts that, in the framework of the Document of Buenos Aires and Article 18 of the Rules of Procedure, it consider the convenience of organizing the next review round selecting a number of provisions of the Convention that will allow, if it is feasible, the simultaneous review of all the States. Recommend to the Committee that it report back to Chair of the Conference of States Parties of MESICIC in a timely manner on this subject.

## **XII. REPORTS**

32. Request the Committee of Experts to report to the Chair of the Conference of the States Parties of MESICIC, on the measures adopted and progress achieved in implementing the conclusions and recommendations contained herein.

Request the Chair of the Conference of the States Parties of MESICIC to present a report at the next meeting of the Conference of States Parties of MESICIC based on the follow-up and periodic information from the Committee of Experts and Technical Secretariat, as appropriate, on the measures adopted and progress achieved in implementing these conclusions and recommendations.

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\* Several Delegations consider that [the Organization of Latin American and Caribbean Supreme Audit Institutions \(OLACEFS\)](#) could be one of these organizations.

AG/RES. 2035 (XXXIV-O/04)

PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
WHILE COUNTERING TERRORISM

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

REAFFIRMING the principles and purposes of the Charter of the Organization of American States and the Charter of the United Nations;

EMPHASIZING that everyone is entitled to the rights and freedoms set forth in the Universal Declaration of Human Rights, without distinction of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status, and that this applies in all circumstances, in accordance with international law;

REITERATING that all persons are equal before the law and have the rights and duties established in the American Declaration of the Rights and Duties of Man, without distinction as to race, sex, language, creed, or any other factor;

CONSIDERING that terrorism poses a serious threat to the security, the institutions, and the democratic values of states and to the well-being of our peoples;

TAKING INTO ACCOUNT:

That, in the Declaration on Security in the Americas, the states of the Hemisphere renewed their commitment to fight terrorism and its financing with full respect for the rule of law and international law, including international humanitarian law, international human rights law, and international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council resolution 1373 (2001);

That, in the Declaration of Nuevo León of the Special Summit of the Americas, the Heads of State and Government agreed to take all necessary steps to prevent and counter terrorism and its financing in full compliance with their obligations under international law, including international human rights, refugee, and humanitarian law; and

Its resolutions AG/RES. 1840 (XXXII-O/02), AG/RES. 1906 (XXXII-O/02), and AG/RES. 1931 (XXXIII-O/03), and the Report on Terrorism and Human Rights prepared by the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.116 – Doc.5 rev. 1);

WELCOMING WITH SATISFACTION the fact that, with the ratifications of Antigua and Barbuda, Canada, El Salvador, Mexico, Nicaragua, and Peru, the Inter-American Convention against Terrorism came into force on July 10, 2003, and that Panama and Venezuela became states parties to the Convention in 2004; and

CONSIDERING the report of the Meeting of Government Experts to Exchange, from a Human Rights Perspective, Best Practices and National Experiences in Adopting Antiterrorism Measures, held on February 12 and 13, 2004 (CP/CAJP-2140/04),

RESOLVES:

1. To reaffirm that the fight against terrorism must be waged with full respect for the law, human rights, and democratic institutions, so as to preserve the rule of law and democratic freedoms and values in the Hemisphere.

2. To reaffirm that all member states have a duty to ensure that all measures adopted to combat terrorism are in compliance with their obligations under international law, in particular international human rights law, international law on refugees, and international humanitarian law.

3. To urge member states once again to consider, as appropriate, signing and ratifying, ratifying, or acceding to the Inter-American Convention against Terrorism and to take appropriate steps to implement the provisions of that treaty.

4. To request the Inter-American Commission on Human Rights (IACHR) to continue promoting respect for and the defense of human rights in this area and facilitating efforts by member states to comply appropriately with their international human rights commitments when developing and executing antiterrorist measures, including, in particular, the rights of members of those groups that might become vulnerable, or be placed at a disadvantage, or threatened with discrimination as a result of terrorist violence or counterterrorist initiatives, and to report to the Permanent Council on the advisability of conducting a follow-up study.

5. To instruct the Permanent Council to convene a meeting with the government experts of the member states so that they may provide their points of view to the IACHR and the Inter-American Committee against Terrorism (CICTE) on the content of the recommendations mentioned in the following paragraph.

6. To request the IACHR to draw up, with the support of CICTE recommendations for the protection of human rights by member states in the fight against terrorism, on the basis of Article 15 of the Inter-American Convention against Terrorism and other pertinent international and regional instruments, as appropriate, bearing in mind the Commission's Report on Terrorism and Human Rights and the findings of the meeting of government experts referred to in the preceding paragraph, and to present said recommendations to the Permanent Council before the thirty-fifth regular session of the General Assembly.

7. To foster dialogue and cooperation among CICTE, the IACHR, and other pertinent areas of the Organization, on the issue of the protection of human rights and fundamental freedoms while countering terrorism.

8. To request the Permanent Council to present a report on the implementation of this resolution, which is to be carried out within the resources allocated in the program-budget of the Organization and other resources, to the General Assembly at its thirty-fifth regular session.

AG/RES. 2036 (XXXIV-O/04)

HUMAN RIGHTS DEFENDERS: SUPPORT FOR THE INDIVIDUALS, GROUPS, AND ORGANIZATIONS OF CIVIL SOCIETY WORKING TO PROMOTE AND PROTECT HUMAN RIGHTS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1) as it pertains to this topic and resolution AG/RES. 1920 (XXXIII-O/03), "Human Rights Defenders: Support for the Individuals, Groups, and Civil Society Organizations Working to Promote and Protect Human Rights in the Americas";

CONCERNED that situations persist in the Americas that, directly or indirectly, prevent or hamper the work of individuals, groups, or organizations working to protect and promote fundamental rights;

CONSIDERING that member states support the work carried out by human rights defenders and recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Americas, and to the representation and defense of individuals, minorities, and other groups of persons whose rights are threatened or violated;

TAKING NOTE that in 2003, in its decisions granting provisional measures, the Inter-American Court of Human Rights highlighted the importance of the work of human rights defenders to the development of democracies in the Americas;

TAKING INTO ACCOUNT the work accomplished by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights and the member states' replies to the questionnaire drawn up by that unit with a view to preparing a comprehensive report on the subject; and

UNDERSCORING that the performance by human rights defenders of their tasks contributes actively to strengthening democratic institutions and improving national human rights systems,

RESOLVES:

1. To reiterate its support for the work carried out, at both the national and regional levels, by human rights defenders; and to recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Hemisphere.
2. To condemn actions that directly or indirectly prevent or hamper the work of human rights defenders in the Americas.



3. To encourage human rights defenders to continue to work selflessly for the enhancement of national human rights systems for the consolidation of democracy, in accordance with the principles contained in the United Nations Declaration on Human Rights Defenders.

4. To urge member states to continue stepping up their efforts to adopt the necessary measures to safeguard the lives, freedom, and personal safety of human rights defenders, and to conduct thorough and impartial investigations in all cases of violations against human rights defenders, ensuring that the findings thereof are transparent and publicized.

5. To invite the Inter-American Commission on Human Rights (IACHR) to conclude its comprehensive report on the situation of human rights defenders in the Americas, in keeping with resolution AG/RES. 1842 (XXXII-O/02), for presentation to the Permanent Council and consideration, if possible, in the second half of 2004.

6. To request the IACHR to:

- a. Continue to give due consideration to this matter at the level it deems appropriate;
- b. Continue intensifying its dialogue and cooperation with the Special Representative of the United Nations Secretary-General on Human Rights Defenders; and
- c. Include in its annual report a section on the work of the Unit for Human Rights Defenders of the IACHR.

7. To invite member states to promote the dissemination and enforcement of the instruments of the inter-American system and the decisions of its bodies on this matter, as well as the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

8. To invite member states to consider the preparation and implementation of national plans to apply the principles contained in the United Nations Declaration mentioned in the preceding paragraph, for which purpose they may also request the advisory services of the IACHR.

9. To urge member states that have not yet done so to reply to the questionnaire prepared by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights.

10. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources.

AG/RES. 2037 (XXXIV-O/04)

STUDY OF THE RIGHTS AND THE CARE OF PERSONS UNDER  
ANY FORM OF DETENTION OR IMPRISONMENT

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the chapter on this topic in the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1) and resolutions AG/RES. 1897 (XXXII-O/02) and AG/RES. 1927 (XXXIII-O/03);

BEARING IN MIND:

That consultations with the member states on this subject have continued within the Committee on Juridical and Political Affairs and that a number of them have replied to the questionnaire prepared for that purpose (CP/CAJP-1853/01 rev. 1);

The presentation on December 4, 2003, of the Inter-American Commission on Human Rights (IACHR) to the Committee on Juridical and Political Affairs (CP/CAJP-2096/03), pursuant to resolution AG/RES. 1927 (XXXIII-O/03);

That the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas decided to draft a document to protect the fundamental rights of detained persons (REMJA-IV/doc.24/02 rev. 2); and

The recommendations of the First Meeting of Officials Responsible for Penitentiary and Prison Policies of the OAS Member States (GAPECA/doc.04/03), held in Washington D.C., on October 16 and 17, 2003, and the recommendations for hemispheric cooperation on penitentiary and prison policies issued at the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, held in Washington, D.C., from April 28 to 30, 2004 (REMJA-V/doc.7/04 rev. 4); and

WELCOMING the strengthening by the IACHR of the Special Rapporteurship on the Rights of Persons Deprived of Freedom, through the appointment of a Special Rapporteur,

RESOLVES:

1. To instruct the Permanent Council to continue studying the question of the rights and the care of persons under any form of detention or imprisonment, in cooperation with the competent organs and agencies of the inter-American system and taking into account the conclusions and recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V/doc.7/04 rev. 4), including the report of the First Meeting of Officials Responsible for Penitentiary and Prison Policies of the OAS Member States (GAPECA/doc.04/03).

2. To urge those member states that have not already done so to reply as soon as possible to the questionnaire entitled: "Study of the Rights and the Care of Persons under Any Form of Detention or Imprisonment" (CP/CAJP-1853/01 rev. 1).

3. To request the Inter-American Commission on Human Rights (IACHR) to report on the situation of persons under any form of detention or imprisonment in the Hemisphere and to compile, using as a basis its work on the subject, the regional and global parameters for detention and imprisonment policies in the member states and to make reference to any problems and good practices observed.

4. To encourage member states to invite the Special Rapporteur on the Rights of Persons Deprived of Freedom of the IACHR to visit their countries.

5. To call upon member states to consider allocating more funds to the IACHR to enable it to support the effective fulfillment of the mandate assigned to its Special Rapporteur on the Rights of Persons Deprived of Freedom.

6. To reiterate to the Permanent Council that, on the basis of the discussions held and the studies conducted, it should consider the advisability of preparing, in due course, an inter-American declaration on the rights and the care of persons under any form of detention or imprisonment.

7. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2038 (XXXIV-O/04)

PREVENTION OF RACISM AND ALL FORMS OF DISCRIMINATION AND  
INTOLERANCE AND CONSIDERATION OF THE PREPARATION OF A  
DRAFT INTER-AMERICAN CONVENTION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1) and resolutions AG/RES. 1712 (XXX-O/00), AG/RES. 1774 (XXXI-O/01), AG/RES. 1905 (XXXII-O/02), and AG/RES. 1930 (XXXIII-O/03);

AWARE that the principles of equality and nondiscrimination recognized in Articles 3.1 and 45.a of the Charter of the Organization of American States, in Article II of the American Declaration of the Rights and Duties of Man, and in Article 2 of the Universal Declaration of Human Rights enshrine respect for the human rights and fundamental freedoms of individuals specified therein, without any distinction as to race, color, nationality, sex, language, religion, political or other opinion, national or social origin, property, birth, or any other status;

TAKING INTO ACCOUNT that the preamble to the Declaration and Plan of Action of the Regional Conference of the Americas, held in Santiago, Chile, in December 2000, to prepare for the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001, recognizes that “in spite of the efforts made by States in the region, racism, racial discrimination, xenophobia and related intolerance still persist in the Americas and continue to be causes of suffering, disadvantage and violence, as well as of other serious human rights violations, which must be fought by all available means as a matter of the highest priority”;

CONSIDERING the report of the Inter-American Juridical Committee on the preparation of a draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance, contained in its annual report (2001) (CP/doc.3545/02);

CONSIDERING ALSO the study “Judicial System and Racism against Persons of African Descent,” conducted by the Justice Studies Center of the Americas in response to the mandate issued in resolution AG/RES. 1930 (XXXIII-O/03), the conclusions of which indicate “that the invisibility of racist practices and intolerance affecting people of African descent continues to be a serious problem throughout the Americas” and point to the need to adopt internal measures within the states to “prevent and eventually eliminate racism and intolerance towards this group”; and

TAKING INTO ACCOUNT that resolution AG/RES. 1905 (XXXII-O/02) instructed the Permanent Council, *inter alia*, to “initiate the study of possible strategies for promoting, through initiatives in the areas of education and justice administration, public awareness campaigns, tolerance, and full and effective equality for all persons in building pluralistic, inclusive societies, on the understanding that national programs and international cooperation should be encouraged,”

RESOLVES:

1. To urge member states to step up efforts toward the adoption of effective measures, at the national and regional levels, to fight the manifestations of racism and all forms of discrimination and intolerance.

2. To receive with satisfaction from the Inter-American Commission on Human Rights (IACHR) document CP/CAJP-2116/04 corr. 1, concerning the preparation of the study referred to in operative paragraph 3 of resolution AG/RES. 1930 (XXXIII-O/03), on the laws of the member states dealing with the adoption of policies to promote equality or affirmative action.

3. To urge member states that have not yet done so to reply to the request by the IACHR for information on national legislation concerning the adoption of policies to promote equality or affirmative action.

4. To request the IACHR to continue to pay due attention, in the framework of inter-American and international legal instruments currently in force, to the problems generated by manifestations of racism, discrimination, and intolerance in the Americas and to continue to intensify dialogue and cooperation with the Special Rapporteur of the United Nations Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and report on that cooperation in due course to the Permanent Council.

5. To instruct the organs, agencies, and entities of the Organization to include in their annual reports to the General Assembly information on their efforts to incorporate the perspective of promoting racial equality and the principle of nondiscrimination into their policies, programs, projects, and activities.

6. To instruct the Permanent Council, through its Committee on Juridical and Political Affairs, to:

- a. Continue to address, as a matter of priority, the subject of preventing, combating, and eradicating racism and all forms of discrimination and intolerance;
- b. Promote a special meeting, attended by government experts, inter-American specialized organizations, and nongovernmental organizations, at which a representative of the Justice Studies Center of the Americas will present the conclusions of the study "Judicial System and Racism against Persons of African Descent" and there will be an exchange of experience and best practices in the adoption of measures against racism and all forms of discrimination and intolerance; and
- c. Receive and analyze the contributions mentioned in operative paragraphs 2 and 6.b of this resolution, *inter alia*, as well as those of member states, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the Inter-American Juridical Committee, and civil society organizations, with a view to examining existing national strategies for

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fighting racial discrimination and to considering areas for international cooperation against racism and all forms of discrimination, including, *inter alia*, the possibility of an Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

7. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2039 (XXXIV-O/04)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT<sup>1/</sup>

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1709 (XXX-O/00), AG/RES. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1900 (XXXII-O/02), and AG/RES. 1929 (XXXIII-O/03);

RECALLING ALSO the recommendation of the Inter-American Commission on Human Rights (OEA/Ser.L/V/II.102, Doc. 6 rev. April 16, 1999, Chapter VII, 21.3.B), as well as its resolution N° 1/03, "On Trial for International Crimes," and the document "Framework for OAS Action on the International Criminal Court" (AG/INF.248/00);

RECOGNIZING that the adoption of the Statute of the International Criminal Court on July 17, 1998, in Rome, is a milestone in efforts to combat impunity and that the Court is an effective instrument for consolidating international justice;

CONCERNED over the persistent violations of international humanitarian law and international human rights law;

AFFIRMING that states have the primary duty to prosecute and punish those violations so as to prevent their recurrence and avoid the impunity of the perpetrators of those crimes;

MINDFUL of the importance of preserving the effectiveness and integrity of the Rome Statute of the International Criminal Court;

WELCOMING the entry into force of the Rome Statute of the International Criminal Court on July 1, 2002, because as of that date the Court became a judicial body complementing the efforts of national jurisdictions to prosecute the perpetrators of the most serious international crimes, such as genocide, crimes against humanity, and war crimes;

TAKING NOTE that June 30, 2004, is the deadline for signing the Agreement on Privileges and Immunities of the International Criminal Court, and that only 11 countries in the American Hemisphere have signed it and one country has ratified it;

RECOGNIZING that 139 states, including 26 member states of the Organization of American States, have signed the Rome Statute and that 94 states, including 19 member states of the Organization, have ratified or acceded to it; and

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1. The United States requests that its reservation to this resolution be placed on record. The text of its statement appears as an annex to this resolution.

EXPRESSING its satisfaction with the holding of the Special Meeting of the Committee on Juridical and Political Affairs on Promotion of and Respect for International Humanitarian Law, at OAS headquarters on March 25, 2004, with regard to which the Chair of the Committee prepared the report contained in document DIH/doc.24/04,

RESOLVES:

1. To urge those member states of the Organization that have not already done so to consider ratifying or acceding to, as the case may be, the Rome Statute of the International Criminal Court.

2. To urge all member states of the Organization to continue to participate constructively, even as observer states, in the Assembly of States Parties to the Rome Statute of the International Criminal Court in order to ensure the best possible operating environment for the Court, in a context of unconditional defense of the integrity of the Rome Statute.

3. To urge the member states of the Organization that are parties to the Rome Statute to adapt and amend their domestic law, as necessary, with a view to the effective application of the Statute.

4. To urge those member states that are not party to the Rome Statute to adapt their criminal legislation, in accordance with the treaties for the protection of human rights and humanitarian law to which they are party.

5. To urge the member states of the Organization that are not party to the Rome Statute to consider signing and ratifying the Agreement on Privileges and Immunities of the International Criminal Court, or acceding thereto, as the case may be, and in the case of those states that are already party to that Agreement to take the necessary measures for its effective implementation at the national level.

6. To request the Inter-American Juridical Committee to include on the agenda for the next joint meeting with legal advisers of the foreign ministries of the member states of the Organization a review of due implementation of the Rome Statute and the Agreement on Privileges and Immunities in national legislations.

7. To request the Permanent Council to hold, with the support of the General Secretariat and cooperation from the International Criminal Court, international organizations, and nongovernmental organizations, a working meeting on appropriate measures that states should take to cooperate with the International Criminal Court in the investigation, prosecution, and punishment of the perpetrators of war crimes, crimes against humanity, genocide, and crimes against the administration of justice of the International Criminal Court.

8. To request the Permanent Council to include the topic of the implementation of the Rome Statute and the Agreement on Privileges and Immunities on the agenda of the Committee on Juridical and Political Affairs.



9. To urge member states of the Organization to cooperate so as to avoid the impunity of the perpetrators of the most serious international crimes, such as war crimes, crimes against humanity, and genocide.<sup>2/</sup>

10. To request the Permanent Council to follow up on this resolution, which will be implemented within the resources allocated in the program-budget of the Organization and other resources, and to present a report on its implementation to the General Assembly at its thirty-fifth regular session.

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2. The delegation of Honduras requested that the following reservation be placed on record:  
The state of Honduras, aware that judicial cooperation with the International Criminal Court should take place within the framework of the internal legislation of states and international law and reaffirming the complementary nature of the jurisdiction of the International Criminal Court, considers it essential that the cooperation that member states are urged to engage in under operative paragraph 9 of this resolution take place within the framework of their internal legislation and international law.

STATEMENT BY THE DELEGATION OF THE UNITED STATES

The United States has long been concerned about the persistent violations of international humanitarian law and international human rights law throughout the world. We stand for justice and the promotion of the rule of law. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide and crimes against humanity, but we cannot support the seriously flawed International Criminal Court. Our position is that states are primarily responsible for ensuring justice in the international system. We believe that the best way to combat these serious offenses is to build and strengthen domestic judicial systems and political will and, in appropriate circumstances, work through the United Nations Security Council to establish ad hoc tribunals as in Yugoslavia and Rwanda. Our position is that international practice should promote domestic accountability. The United States has concluded that the International Criminal Court does not advance these principles.

The United States has not ratified the Rome Statute and has no intention of doing so. This is because we have strong objections to the International Criminal Court, which we believe is fundamentally flawed. The International Criminal Court claims jurisdiction over the nationals of states not party to the agreement. It has the potential to undermine the role of the United Nations Security Council in maintaining international peace and security. We also object to the Court because it is not subject to adequate checks and balances. We believe that an independent court with unchecked power is open to abuse and exploitation. Its structure lends itself to the great danger of politically-motivated prosecutions and decisions. The inclusion of the still-undefined crime of aggression within the statute of the Court creates the potential for conflict with the United Nations Charter, which provides that the Security Council determines when an act of aggression has occurred.

The United States notes that in past decades several member states have reached national consensus for addressing historic conflicts and controversies as part of their successful and peaceful transition from authoritarian rule to representative democracy. Indeed, some of those sovereign governments, in light of new events, evolved public opinion, or stronger democratic institutions, have decided on their own and at a time of their choosing to reopen past controversies. These experiences provide compelling support for the argument that member states—particularly those with functioning democratic institutions and independent functioning judicial systems—should retain the sovereign discretion to decide as a result of democratic and legal processes whether to prosecute or to seek national reconciliation by other peaceful and effective means. The United States is concerned that the International Criminal Court has the potential to undermine the legitimate efforts of member states to achieve national reconciliation and domestic accountability by democratic means.

Our policy on the ICC is consistent with the history of our policies on human rights, the rule of law and the validity of democratic institutions. For example, we have been a major proponent of the Special Court for Sierra Leone because it is grounded in sovereign consent, combines domestic and international participation in a manner that will generate a lasting benefit to the rule of law within Sierra Leone, and interfaces with the Truth and Reconciliation Commission to address accountability.

The United States has a unique role and responsibility to help preserve international peace and security. At any given time, U.S. forces are located in close to 100 nations around the world, for example, conducting peacekeeping and humanitarian operations and fighting inhumanity. We must ensure that our soldiers and government officials are not exposed to the prospect of politicized prosecutions and investigations. Our country is committed to a robust engagement in the world to defend freedom and defeat terror; we cannot permit the ICC to disrupt that vital mission.

In light of this position, the United States cannot in good faith join in the consensus on an OAS resolution that promotes the Court.

AG/RES. 2040 (XXXIV-O/04)

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

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1), in particular as it pertains to the implementation of resolution AG/RES. 1924 (XXXIII-O/03), and the Final Report of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V/doc.9/04);

RECALLING that, in the Plan of Action of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government decided to continue to support the work done in the context of the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA) and the implementation of their conclusions and recommendations;

RECALLING ALSO that, in the Declaration on Security in the Americas, adopted in Mexico City, on October 28, 2003, the states of the Hemisphere reaffirmed “that the Meetings of Ministers of Justice or Ministers or Attorneys General of the Americas (REMJA) and other meetings of criminal justice authorities are important and effective fora for promoting and strengthening mutual understanding, confidence, dialogue, and cooperation in developing criminal justice policies and responses to address new threats to security”; and

TAKING INTO ACCOUNT the importance of continued appropriate follow-up to and implementation of the conclusions and recommendations of the REMJA,

RESOLVES:

1. To express its satisfaction with the results of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), held at OAS headquarters from April 28 to 30, 2004, and of the three technical meetings held prior to it as part of the REMJA process.
2. To welcome the conclusions and recommendations of REMJA-V, contained in the Final Report of that meeting (REMJA-V/doc.9/04) and appended hereto.
3. To instruct the Permanent Council to give appropriate follow-up to the implementation of the conclusions and recommendations of REMJA-V, and to convene the meetings referred to therein, which will be held within the resources allocated in the program-budget of the Organization and other resources.
4. To instruct the Permanent Council to present a report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



## CONCLUSIONS AND RECOMMENDATIONS OF REMJA-V

Having concluded its deliberations on the various items on its agenda, the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), convened under the auspices of the OAS, approved the following conclusions and recommendations for transmission, through the Permanent Council, to the General Assembly of the OAS at its thirty-fourth regular session.

### I. HEMISPHERIC COOPERATION AGAINST TRANSNATIONAL ORGANIZED CRIME AND AGAINST TERRORISM

REMJA-V reaffirms that the damage caused and the threat posed by the different types of transnational organized crime and terrorism, to our citizens and to our democracies and to the economic and social development of our states, make it necessary and urgent to continue to strengthen and enhance mutual legal and judicial cooperation at the hemispheric level, as well as to enact laws, procedures, and new mechanisms, if they have not done so, to enable them to combat these crimes effectively.

In this connection, it underscores that the Declaration on Security in the Americas, adopted in Mexico City on October 28, 2003, states that terrorism and transnational organized crime are part of the new threats, concerns, and other diverse challenges affecting the security of the states of the Hemisphere and reaffirms that “the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA) and other meetings of criminal justice authorities are important and effective fora for promoting and strengthening mutual understanding, confidence, dialogue, and cooperation in developing criminal justice policies and responses to address new threats to security.”

Considering that, although the international community has made progress in drawing up regulations to combat these forms of crime, differences persist in the way States criminalize this conduct, which can create obstacles for more effective international cooperation.

REMJA-V recognizes that it is advisable that the subject of transnational organized crime continue to be dealt with by the many bodies of the OAS as they have been doing in the framework of their respective competence, such as CICAD, the Consultative Committee of CIFTA, the CIM, the Inter-American Children’s Institute, REMJA, and MESICIC.

REMJA-V reaffirms that the measures carried out by the States Parties in combating terrorism shall take place with full respect for the rule of law, human rights, and fundamental freedoms, without undermining the rights and obligations of States and individuals in keeping with International Law, International Law on Human Rights and International law on Refugees.

REMJA-V expresses satisfaction that in the period following REMJA-IV, OAS Member States have taken significant steps to strengthen hemispheric implementation of United Nations counter-terrorism and transnational organized crime instruments in effectively addressing these crimes. In particular, during the interval between REMJA-IV and REMJA-V, numerous OAS Member States became Party to the 1999 Convention for the Suppression of the Financing of

Terrorism, as well as earlier universal counter-terrorism instruments. Similarly, numerous OAS Member States became Party to the 2000 United Nations Convention Against Transnational Organized Crime and its three Complementary Protocols or took substantial steps towards reaching this status. REMJA-V recognizes this notable progress to combat terrorism and transnational organized crime.

REMJA-V also notes with satisfaction that adherence to regional instruments addressing terrorism and organized crime has rapidly accelerated. The 2002 Inter-American Convention against Terrorism has entered into force on July 10, 2003 and has been ratified by eight (8) Member States of the OAS; and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Material (CIFTA) has been ratified by twenty-two (22) Member States of the OAS.

REMJA-V also expresses satisfaction at the progress made in strengthening and consolidating cooperation between the States of the Americas to combat terrorism, through the work of the Inter-American Committee against Terrorism (CICTE) and its national contact points.

At the same time, more work remains in crafting effective implementation of hemispheric and global counter-terrorism and organized crime standards, and we note with alarm the increase in terrorist attacks throughout the world and activities of other criminal organizations. Accordingly, we recommend that:

- A. HEMISPHERIC COOPERATION AGAINST TRANSNATIONAL ORGANIZED CRIME
  1. With respect to combating organized crime, Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible:
    - a. The United Nations Convention Against Transnational Organized Crime, the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and the Protocol Against the Smuggling of Migrants by Land, Sea, and Air. We encourage Member States to complete their internal processes for determining whether to sign and ratify the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.
    - b. The Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Material (CIFTA), which, inter alia, sets forth an effective regime for criminalizing illicit arms trafficking that can aid the fight against organized crime and terrorist groups, as well as creating a mechanism for tracing illicitly trafficked weapons to their source.
  2. Member States who are Party or signatory to the Transnational Organized Crime Convention and its two protocols in force, work together at the First Conference of

the Parties, June 28 to July 9, 2003, to facilitate the successful application of these important international instruments.

3. To recommend to the General Assembly of the OAS that it convene a group of experts to consider the possibility of drawing up a Hemispheric Plan of Action against Transnational Organized Crime as an integrated plan that brings together the efforts that each area of the OAS has been making to address the problem's different aspects, in accordance with the Declaration on Security in the Americas.
4. That the Member States consider, when appropriate, harmonization of their respective legal frameworks with the obligations taken on in this matter. To this end, it is recommended that the General Assembly of the OAS instruct the Inter-American Juridical Committee to conduct a study on the afore-mentioned issue and that it report to the body that the General Assembly has assigned responsibility to consider the possibility of drafting the Hemispheric Plan of Action against Transnational Organized Crime.
5. That the Member States promote greater inter-relations between law enforcement authorities so they can decide on common lines of action in investigating and prosecuting these crimes.
6. Urge States to hold regional and national training seminars and workshops that refer to the different modalities of transnational organized crime.

**B. HEMISPHERIC COOPERATION AGAINST TERRORISM**

1. With respect to combating terrorism, Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible:
  - a. the twelve United Nations counter-terrorism conventions.
  - b. the Inter-American Convention Against Terrorism.
2. Member States have sufficient ability to take law enforcement action with respect to situations in which a terrorist attack has not yet been carried out, and timely investigation and prosecution may prevent the carrying out of such attacks, and take immediate steps to provide for a sufficient ability to pursue and cooperate with each other in respect of such conduct.
3. Each Member State enhances its abilities to facilitate the sharing of information among security services and law enforcement agencies in order to prevent attacks and successfully prosecute terrorists in conformity with applicable national laws and international instruments.
4. In applying Article 7 of the Inter-American Convention against Terrorism, the Member States promote the broadest measures of cooperation, particularly measures



to ensure effective cooperation among law enforcement agencies, immigration services, and related agencies, and improve their controls on travel and identity documents.

5. To take note of the work of the Inter-American Commission on Human Rights in the area of terrorism and human rights. It recommends that officials responsible for the development of anti-terrorism legislation continue to meet and exchange best practices and national experiences between them on this issue.
6. To recommend that Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters include information on legislation, as appropriate, and anti-terrorist policies in force in the Member States.
7. To recommend that, in order to help in the prevention of acts of terrorism, measures must be taken to avoid discrimination against members of society.

## II. MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS AND EXTRADITION

### A. MEETING OF CENTRAL AUTHORITIES AND OTHER EXPERTS ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

REMJA-V recommends as follows:

1. To express its satisfaction at the Meeting of Central Authorities and Other Experts in Mutual Legal Assistance in Criminal Matters, held pursuant to the recommendations of REMJA-IV in Ottawa, Canada, from April 30 to May 2 2003, and to adopt in their entirety its recommendations, published in document OEA/Ser.K/XXXIV.5 REMJA-V/doc.4/.
2. To support, in accordance with recommendation 6 of that meeting, the continued holding of meetings of the Central Authorities and other Experts on mutual legal assistance in criminal matters in the Hemisphere at least once between REMJAs, with the support and coordination of the Working Group on Mutual Legal Assistance, as well as consideration, at their next meeting, of both progress made in implementing the recommendation of the Ottawa meeting and, *inter alia*, the topics referred to in the aforementioned recommendation 6, according to an order of priorities that they define.
3. To decide that the next Meeting of Central Authorities and Other Experts start considering actions to build up hemispheric legal cooperation in the matter of extradition, including temporary extradition when appropriate in keeping with national legislation and to proceed with organizing the sections on mutual legal and judicial cooperation of a hemispheric plan of action to fight against transnational organized crime and terrorism, including measures of administration of cases by the requesting State so as not to overburden the requested State.

4. To decide that the next Meeting of Central Authorities and Other Experts shall continue building up and rendering more effective the mechanisms of mutual legal assistance in criminal matters, and hemispheric cooperation in the matter of extradition. To this end, the Meeting of Central Authorities and Other Experts will be able to request input from the following bodies regarding the areas of their competence: CICTE, CICAD, Consultative Committee of CIFTA, CIM, MESICIC, Inter-American Children's Institute, and the Inter-American Juridical Committee.
- B. HEMISPHERIC INFORMATION EXCHANGE NETWORK FOR MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

In view of the usefulness and importance of the Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters, REMJA-V recommends as follows:

1. To decide to adopt the Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters and urge all Member States to implement its public component and disseminate among the most interested users.
2. That, since the network, under the leadership of a group consisting of Argentina, Bahamas (The), Canada, and El Salvador, and administered by the OAS General Secretariat, comprises data on all OAS Member States, information related to mutual legal assistance in criminal matters and extradition should continue to be posted on the public website.
3. That States that have not yet done so identify a contact person to provide and update the information made available via the network.
4. To express satisfaction towards the development of the MLA secure e-mail pilot project and recommends that all States take the appropriate measures to evaluate it and that it continue to operate and be expanded to cover other States.
5. To examine the possibility of exchanging information, in mutually interesting areas and methodologies, with the Virtual Prosecution Office of Latin America.

### III. PENITENTIARY AND PRISON POLICIES

Given the importance and advisability of continuing and reinforcing the exchange of information and experiences as well as mutual cooperation with regard to penitentiary and prison policies, REMJA-V recommends as follows:

1. To express its satisfaction with the results and adopt the report of the First Meeting of the Group of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States (document OEA/Ser.K/XXXIV.5 REMJA-V/doc.6/04), held at OAS headquarters on October 16 and 17, 2003, in keeping with a REMJA-IV decision.

2. To support periodic meetings of officials responsible for the penitentiary and prison policies of the OAS member states and the establishment of an Internet information system on such policies, as recommended at the first meeting of the officials.
3. That the States, through their participation in the meetings of penitentiary and prison authorities, promote penitentiary strategies and policies, based on respect for human rights, and that contribute to reducing overcrowding in prisons. To this end, the States will promote modernization of prison infrastructure and extend the functions of rehabilitation and social integration of the individual, by improving conditions of detention and studying new penitentiary standards.

#### IV. CYBER-CRIME

Under this topic, REMJA-V recommends as follows:

1. To express its satisfaction with the results of the Initial Meeting of the Group of Governmental Experts on Cyber-Crime, held at OAS headquarters on June 23 and 24, 2003, in keeping with a REMJA-IV decision.
2. To adopt the recommendations of the Group of Governmental Experts (document OEA/Ser.K/XXXIV.5 REMJA-V/doc.5/04) and to ask it, through its Chair, to report to the next meeting of REMJA on the progress made regarding said recommendations.
3. To support consideration of the recommendations made by the Group of Governmental Experts at its initial meeting as the REMJA contribution to the development of the Inter-American Strategy to Combat Threats to Cybersecurity, referred to in OAS General Assembly resolution AG/RES. 1939 /XXXIII-O/03), and to ask the Group, through its Chair, to continue to support the preparation of the Strategy.
4. That international training on cybercrime be provided to the States of the OAS that request it and that the States of the OAS in general consider the possibility of allocating resources to guarantee delivery of this training.
5. That the Member States participate in the technical meetings of the Group of Governmental Experts on Cyber-Crime so that future challenges can clearly be understood throughout the hemisphere.
6. That Member States, in the context of the expert group, review mechanisms to facilitate broad and efficient cooperation among themselves to combat cybercrime and study, when possible, the development of technical and legal capacity to join the 24/7 network established by the G8 to assist in cybercrime investigations.

7. To the extent possible, Member States ensure that differences in the definition of offenses do not impede the efficiency of cooperation through mutual legal and judicial assistance and extradition.
8. That Member States evaluate the advisability of implementing the principles of the Council of Europe Convention on Cybercrime (2001); and consider the possibility of acceding to that convention.
9. That Member states review and, if appropriate, update the structure and work of domestic bodies, or agencies in charge of enforcing the laws so as to adapt to the shifting nature of cybercrime, including by reviewing the relationship between agencies that combat cybercrime and those that provide traditional police or mutual legal assistance.

V. CORRUPTION: FOLLOW-UP ON THE COMMITMENTS UNDERTAKEN IN THE DECLARATION OF NUEVO LEÓN

The Declarations of Nuevo Leon and Quebec City, as well as previous REMJA, recognize the severity of the problem of corruption in our societies.

We note with approval that, since REMJA-IV, most Member States have signed the United Nations Convention against Corruption and a number of additional Member States have become Party to the Inter-American Convention against Corruption, but we today undertake to strengthen our efforts to effectively pursue corruption.

Accordingly, REMJA-V recommends that Member States:

1. That have not yet done so take measures as soon as possible that are necessary to reach the following objectives:
  - a. Sign and ratify, ratify, or accede to, as appropriate, and implement the 2003 United Nations Convention Against Corruption.
  - b. Sign and ratify, ratify, or accede to, as appropriate, and implement the 1996 Inter-American Convention against Corruption.
2. Cooperate to strengthen the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, through practical measures to enhance its effectiveness, including to increase economic resources and develop human resources and speed up the evaluation process of the First Round.
3. Prior to REMJA-VI, each Member State, in conformity with its national laws and applicable international regulations, shall adopt domestic legal measures that deny safe haven to corrupt officials, to those who corrupt them, and their assets and shall exchange information on the measures they have adopted.

4. In conformity with national legislation and any international juridical instruments that are applicable, review their legal regimes to extradite and provide mutual legal assistance with respect to corruption offenses, including their abilities to provide for confiscation of assets proceeding from criminal activities on behalf of other countries that may have different modalities for obtaining confiscation, with a view to enhancing them.
5. Adopt such legislative and other measures, in accordance with fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property to the requesting State, in the case of embezzlement of public funds or of laundering of embezzled public funds.
6. We shall support the work of the meeting of the States Parties to the Inter-American Convention against Corruption that will be held in Managua, Nicaragua in July 2004, which should consider "additional concrete measures to increase transparency and combat corruption."

#### VI. TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN

Bearing in mind that the trafficking in persons is an offense against human dignity, which should be criminalized, prevented, and combated and whose victims are in a situation of vulnerability, which requires greater international attention and due assistance and protection to safeguard their human rights and for which, to reach these goals, integral cooperation of all the States is required.

Recognizing that there are many international instruments guaranteeing the protection of women, boys, girls and adolescents, such as the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, ILO Convention 182 concerning the Worst Forms of Child Labor, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, the Inter-American Convention on International Traffic in Minors, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Bearing in mind that the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Especially Women and Children, complementary to the United Nations Convention against Transnational Organized Crime, specifies the actions that qualify trafficking in persons as a crime.

Determined to overcome obstacles in the fight against this transnational crime.

REMJA-V recommends the following:

1. That Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible, the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Especially Women and

Children, that complements the United Nations Convention against Transnational Organized Crime.

2. Encourage Member States to complete their internal processes for determining whether to sign and ratify:
  - a. The Protocol against the Illicit Trafficking in Migrants by Land, Sea and Air
  - b. The Inter-American Convention on International Traffic in Minors.
3. The holding of a meeting of national authorities in this matter, including the participation, *inter alia*, of the CIM, the IIN, the United Nations, the OIM, and other related international organizations for the purpose of studying integral cooperation mechanisms among the States to ensure protection of and assistance to the victims, the prevention of the crime, and the prosecution of its perpetrators. Likewise, the meeting will facilitate the exchange of information and experiences, political dialogue and cooperation between the countries of origin, transit and destination of the trafficking in persons, as well as the establishment or improvement of statistics records in this area.
4. To keep the topic of the Trafficking in Persons as an item on the agenda in future debates of REMJA.

#### VII. VIOLENCE AGAINST WOMEN

##### REMJA-V:

1. Urges Member States to complete their internal processes for determining whether to sign and ratify the Inter-American Convention on the Prevention, Punishment and Eradication Violence against Women (Convention of Belém do Pará).
2. Encourages the States Parties to the Inter-American Convention on the Prevention, Punishment and Eradication Violence against Women (Convention of Belém do Pará) to study the most appropriate manner establish the Convention's Follow-up Mechanism.

#### VIII. GENDER AND JUSTICE

REMJA-V, after having heard the presentation by the Inter-American Commission of Women (CIM), took note of the recommendations on gender and justice formulated to the REMJA-V by the Second Meeting of Women Ministers or Ministers or Top Authorities Responsible for Women's Policies in the Member States and refers them to the Member States for greater consideration.

IX. JUSTICE STUDIES CENTER OF THE AMERICAS (JSCA)

Pursuant to the mandates of the Second and Third Summits of the Americas, OAS resolution AG/RES.1 (XXVI-E/99), and the conclusions and recommendations of REMJA II and III, which led to the establishment of a Studies Center to contribute to improving the policies and institutional capacity of the region's justice systems.

And having heard the report of the Justice Studies Center of the Americas, REMJA-V decides:

1. To express its appreciation to the Board of Directors and the Executive Director for the leadership and initiative they have shown in guiding and developing the Center's initial work plans in the criminal justice area and giving concrete form to the vision of a regional center of justice sector expertise set forth by the Heads of State and Government in Santiago of Chile.
2. To congratulate the Center on the successful launch of websites and publications that are being widely consulted in the region, as well as on the drafting of an important comparative study of criminal procedure norms and practices in the region that should help improve justice system performance.
3. To express satisfaction at the efforts made to ensure participation by Member States in Center programs and activities, notwithstanding the diversity of interests and institutions involved and the limitations of funding.
4. To request that the Center, consistent with the objectives set forth in its Statute, include in its working plans the conclusions and recommendations of REMJA, toward which end the Member States shall provide the necessary resources.
5. To request the Center to organize a working group or process, including both the Member States and other donors, to develop for consideration by REMJA-VI a plan for funding the Center consistent with the mandate of the Third Summit of the Americas. This process shall be without detriment to the voluntary contributions that for this purpose the Member States should make, in accordance with the provisions of the Center's Statute, approved by the General Assembly of the Organization of American States.
6. To approve renewal of the Executive Director's term of office as agreed by the Board of Directors of the Center, in accordance with its Statute, in a regular session held on January 5, 2004 in Santiago de Chile.
7. To request the Center to continue supporting national efforts to strengthen domestic systems, with a view toward improving the national frameworks for cooperation and mutual legal assistance.

X. NEXT MEETING

REMJA-V recommends that the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI) take place in 2006 and that the OAS General Assembly charge the Permanent Council of the OAS to set a date and site for REMJA-VI.



AG/RES. 2041 (XXXIV-O/04)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT  
OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Commission on Human Rights (AG/doc.4321/04); and

CONSIDERING:

That, in the Charter of the Organization of American States, the member states have proclaimed, as one of their principles, respect for the fundamental rights of the individual without distinction as to race, nationality, creed, or sex; and that, under the OAS Charter and the American Convention on Human Rights, the principal function of the Inter-American Commission on Human Rights is to promote the observance and protection of human rights; and

That in the Declaration of the Third Summit of the Americas, held in Quebec City, the Heads of State and of Government stated that their “commitment to full respect for human rights and fundamental freedoms is based on shared principles and convictions” and that they supported “strengthening and enhancing the effectiveness of the inter American human rights system, which includes the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights,”

RESOLVES:

1. To accept the observations and recommendations of the Permanent Council on the annual report of the Inter-American Commission on Human Rights (AG/doc.4321/04); and to forward them to that organ.

2. To reaffirm the essential value of the work carried out by the Inter-American Commission on Human Rights, within its regulatory framework and with full autonomy, to enhance the protection and promotion of human rights in the Hemisphere.

3. To encourage OAS member states to:

- a. Consider signing and ratifying, ratifying, or acceding to, as the case may be, all legal instruments of the inter-American human rights system;
- b. Follow up on the recommendations of the Inter-American Commission on Human Rights; and

- c. Continue to take appropriate action in connection with the annual reports of the Inter-American Commission on Human Rights, in the context of the Permanent Council and the General Assembly.
4. To note with satisfaction the decisions taken by governments of member states to invite the Inter-American Commission on Human Rights to visit their respective countries; and to encourage all member states to continue this practice.
5. To instruct the Permanent Council to continue to examine ways to bring about an effective and adequate increase in the financial resources allocated to the Inter-American Commission on Human Rights in the program-budget of the Organization.
6. In addition, to encourage member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights.
7. To invite the Inter-American Commission on Human Rights to:
  - a. Continue to publish on its Internet page, when member states so request, their observations and recommendations on its annual report to the General Assembly;
  - b. Continue to strengthen existing rapporteurships and operational units within the limits of its available resources, in accordance with Article 15 of its Rules of Procedure; and
  - c. To continue to participate, through its commissioners, in the dialogue with member states, in the context of the Committee on Juridical and Political Affairs, in light of the application of its new Rules of Procedure, especially to shed light on the criteria used when applying its principal mechanisms for the protection of human rights, such as precautionary measures, on-site visits, publication of reports, friendly settlement procedures, time periods for the review and initial processing of petitions, *inter alia*.
8. To recommend to the Inter-American Commission on Human Rights that it continue to take into account the observations and recommendations of the member states on its annual report and that it adopt such measures as it considers pertinent based on such observations and recommendations.
9. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out within the resources allocated in the program-budget and other resources.

AG/RES. 2042 (XXXIV-O/04)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT  
OF THE INTER-AMERICAN JURIDICAL COMMITTEE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Observations and Recommendations of the Permanent Council on the Annual Report of the Inter-American Juridical Committee (AG/doc.4323/04);

TAKING INTO ACCOUNT the mandates contained in resolution AG/RES. 1916 (XXXIII-O/03), "Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee";

CONSIDERING:

That Article 53 of the Charter of the Organization of American States establishes the Inter-American Juridical Committee as one of the organs of the Organization;

That Article 54.f of the OAS Charter establishes that it is a function of the General Assembly to consider the observations and recommendations presented by the Permanent Council on the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter; and

That the Chair of the Inter-American Juridical Committee, Dr. Brynmor T. Pollard, presented the Committee's annual report to the Permanent Council, which has forwarded its observations and recommendations thereon to the General Assembly,

RESOLVES:

1. To endorse the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Juridical Committee and to forward them to the Juridical Committee.

2. To thank the Inter-American Juridical Committee for presenting resolution CJI/RES. 59 (LXIII-O/03), "The Applicable Law and Competency of International Jurisdiction with Respect to Extracontractual Civil Liability," and its appendices, in keeping with Permanent Council resolution CP/RES. 815 (1318/02), which are a valuable contribution to progress on this topic in the Organization.

3. Also to thank the Inter-American Juridical Committee for presenting document CJI/doc.118/03 rev.2, "Competition and Cartels in the Americas," and to recommend to member states that they consider the recommendations made by the Inter-American Juridical Committee on

this topic, both in the aforementioned document and in its resolution CJI/RES. 58 (LXIII-O/03), “Cartels in the Scope of the Competition Law in the Americas.”

4. To request the Inter-American Juridical Committee to contribute to the preparatory work for the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), once the Permanent Council has approved the agenda for the Conference.

5. To congratulate the Inter-American Juridical Committee on the success of the Fifth Joint Meeting with Legal Advisers of the Foreign Ministries of the OAS Member States, held on August 25 and 26 in Rio de Janeiro, Brazil, in the framework of its 62<sup>nd</sup> regular session; and to encourage it to continue to hold such joint meetings periodically.

6. To note that the topic “Legal aspects of compliance within the States with decisions of international courts or tribunals or other international organs with jurisdictional functions” has been added to the agenda of the Inter-American Juridical Committee; and to request that its next annual report, for 2004, include a report on progress in the study of this topic.

7. To request the Inter-American Juridical Committee, in the context of its agenda item “Application of the Inter-American Democratic Charter,” to analyze legal aspects of the interdependence between democracy and economic and social development, taking account, *inter alia*, of the recommendations of the High-Level Meeting on Poverty, Equity, and Social Inclusion, contained in the Declaration of Margarita; the Monterrey Consensus; the Declarations and Plans of Action issued at the Summits of the Americas; and the objectives contained in the United Nations Millennium Declaration.

8. To request the Inter-American Juridical Committee, should it decide to conduct new studies on its agenda item “Legal aspects of inter-American security,” to take into account the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City in October 2003, in particular the section on international peace and security.

9. To request the Inter-American Juridical Committee, in the context of its authority, to take into account, in drawing up its agenda, the pertinent recommendations of the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA).

10. To take note of the importance of the inclusion of the topic “Right to information: Access to and protection of information and personal data,” on the agenda of the Inter-American Juridical Committee, and to request it to include an updated report on the matter in its next annual report.

11. To underscore once again the importance of holding the Course on International Law, organized each year in Rio de Janeiro by the Inter-American Juridical Committee and the General Secretariat; to highlight the importance of increasing the amount of OAS fellowship awards and continuing to provide simultaneous interpretation services; and to urge the member states to consider paying directly for the participation of students and professors from their own countries.

12. To recognize the Inter-American Juridical Committee and the General Secretariat for their work in publishing the lectures delivered at the Course on International Law, and for the

publication of the thematic series grouping them together; and to recommend that the possibility of issuing those publications in the Organization's official languages be examined.

13. To reaffirm the importance of the close contact between the Inter-American Juridical Committee and the political organs of the Organization, in particular the Permanent Council; and to recommend to the Juridical Committee that it continue to focus its efforts on the issues indicated to it as being of priority concern to the Organization.

14. To request the Inter-American Juridical Committee to continue its preparations for the commemoration of its centennial in 2006.

15. To emphasize the need to provide the Inter-American Juridical Committee with the administrative and budgetary support it needs in order to address properly the topics on the current inter-American legal agenda and to issue the corresponding recommendations, in keeping with resources allocated in the program-budget of the Organization and other resources.

**Commented [KL11]:** Spanish text reads: "las correspondientes recomendaciones." KRL

AG/RES. 2043 (XXXIV-O/04)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT  
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Observations and Recommendations of the Permanent Council on the Annual Report of the Inter-American Court of Human Rights (AG/doc.4325/04);

CONSIDERING:

That in the Declaration of the Third Summit of the Americas, held in Quebec City, the Heads of State and Government stated that their “commitment to full respect for human rights and fundamental freedoms is based on shared principles and convictions” and that they supported “strengthening and enhancing the effectiveness of the inter American human rights system, which includes the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights”;

That Article 54.f of the Charter of the Organization of American States establishes that it is a function of the General Assembly to consider the observations and recommendations presented by the Permanent Council on the reports of the organs, agencies, and entities of the Organization, in accordance with Article 91.f of the Charter; and

That Article 65 of the American Convention on Human Rights establishes that “to each regular session of the General Assembly of the Organization of American States the Court shall submit, for the Assembly’s consideration, a report on its work during the previous year. It shall specify, in particular, the cases in which a state has not complied with its judgments, making any pertinent recommendations”;

TAKING INTO ACCOUNT the summary of the annual report of the Inter-American Court of Human Rights for fiscal year 2003 (CP/CAJP-2131/04), the “Reflections on the Inter-American Court of Human Rights based on the Report of Its Work Presented to the Committee on Juridical and Political Affairs” (CP/CAJP-2131/04 add. 1); and the proposed budget of the Inter-American Court of Human Rights for 2005, contained in document AG/CP/doc.663/04;

TAKING INTO ACCOUNT ALSO the proposal by the President of the Inter-American Court of Human Rights, contained in document CP/CAJP-2131/04 add. 1, “to initiate an expanded process of a shared review and examination, comprising the organs of the OAS, the Court and the Commission, the states, and the Inter-American Institute of Human Rights, civil society groups and institutions, and external observers and academicians, which could all contribute to it from their own perspective. This process, carried out in the way that would best serve its proposed objectives, could lead to useful suggestions on ways to correct, reform, advance, and consolidate. An expanded,

Commented [12]:

serious, and careful study, conducted with good will, could be an excellent step forward in this new stage we are now embarking on.”; and

TAKING NOTE OF Advisory Opinion OC-18/03, “Legal Status and Rights of Undocumented Migrants,” issued by the Inter-American Court of Human Rights on September 17, 2003,

RESOLVES:

1. To accept the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Court of Human Rights and to transmit them to that organ.
2. To reaffirm the essential value of the work of the Inter-American Court of Human Rights in enhancing the promotion and defense of human rights in the Hemisphere.
3. To reiterate that the judgments of the Inter-American Court of Human Rights are final and may not be appealed and that the states parties to the Convention undertake to comply with the decisions of the Court in all cases to which they are party.
4. To reiterate the need for states parties to provide the information requested by the Court in order to enable it to fully meet its obligation to report to the General Assembly on compliance with its judgments.
5. To reaffirm the importance of the advisory function of the Inter-American Court of Human Rights for the development of inter-American jurisprudence and international human rights law and, in that context, to take note of Advisory Opinion OC-18/03.
6. To instruct the Permanent Council to continue its consideration of the issue of “Access of victims to the Inter-American Court of Human Rights (*ius standi*) and its application in practice,” including its financial and budgetary implications, taking into account the report of the Inter-American Court of Human Rights entitled “Bases for a Draft Protocol to the American Convention on Human Rights to Strengthen Its Mechanism for Protection – Volume II”; the proposal presented by the Government of Costa Rica, “Draft Optional Protocol to the American Convention on Human Rights”; and the revised Rules of Procedure of the Inter-American Court of Human Rights and of the Inter-American Commission on Human Rights.
7. To instruct the Permanent Council to continue to examine ways to bring about an effective and adequate increase in the financial resources allocated to the Inter-American Court of Human Rights in the program-budget of the Organization.
8. In addition, to encourage member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights.

9. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the American Convention on Human Rights and other instruments of the system, including acceptance of the binding jurisdiction of the Inter-American Court of Human Rights.<sup>20/</sup>

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21. Trinidad and Tobago requested that its reservation regarding operative paragraph 9 be placed on record.



AG/RES. 2044 (XXXIV-O/04)

PROMOTION AND STRENGTHENING OF DEMOCRACY

THE GENERAL ASSEMBLY,

HAVING SEEN the reports of the Permanent Council on the implementation of resolutions AG/RES. 1957 (XXXIII-O/03) and AG/RES. 1960 (XXXIII-O/03) (AG/doc.4335/04 and AG/doc.4336/04);

MINDFUL that the Charter of the Organization of American States establishes in its preamble “that representative democracy is an indispensable condition for the stability, peace and development of the region” and that it establishes that one of the essential purposes of the Organization is “to promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

CONSIDERING that the Heads of State and Government, meeting at the Special Summit of the Americas, issued the Declaration of Nuevo León, in which they reaffirmed the hemispheric commitment to democracy;

RECALLING that, in the Declaration of Nuevo León, they reiterated their commitment to the full application of the Inter-American Democratic Charter, which is an element of the region’s identity and, at the international level, a contribution by the Hemisphere to the community of nations;

BEARING IN MIND that the Inter-American Democratic Charter reaffirmed the commitment of the governments of the Americas to the promotion and consolidation of democracy and that democracy is essential for the social, political, and economic development of the Americas;

RECALLING also that the Declaration on Security in the Americas reaffirmed the commitment of states to full observance of the Inter-American Democratic Charter; to its values, principles, and mechanisms; and to strengthening the inter-American system for the protection of human rights, and recommended that action be taken to promote democratic culture in keeping with the provisions of the Inter-American Democratic Charter;

AWARE that the Declaration of Mexico, signed by the Ministers of Education of the Hemisphere, recognizes the importance of raising cultural awareness and promoting democratic values in present and future generations, especially in education as a key means of strengthening democratic institutions; and

BEARING IN MIND the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas [AG/DEC. 31 (XXXIII-O/03)],

RESOLVES:

1. To reaffirm the commitment of the member states to the full exercise and application in the Hemisphere of the democratic principles and values set forth in the Charter of the Organization

of American States, the Inter-American Democratic Charter, and other relevant international instruments.

2. To support member states in their continued collective efforts to strengthen democratic governance, fight corruption, enhance the rule of law, bring about the full exercise of human rights, and fight poverty, inequity, and social exclusion.

3. To invite civil society organizations to continue fostering democratic governance in the Hemisphere by promoting respect for the rule of law and for the values and principles enshrined in the Inter-American Democratic Charter.

4. To support the initiative by the Ministers of Education to pursue the principles enshrined in the Inter-American Democratic Charter through educational programs, in keeping with the system of each country.

5. To recommend to member states that they promote and publicize the Inter-American Democratic Charter, in accordance with the mandate that established "Follow-up and development of the Inter-American Democratic Charter" as a permanent General Assembly agenda item.

6. To instruct the Permanent Council, in the context of the commitments and mandates arising from the OAS Charter, the Summits of the Americas process, and the Inter-American Democratic Charter, to:

- a. Continue to examine the principal challenges to democratic governance, especially those related to strengthening democratic institutions and promoting economic and social development, and to continue its work on defining the Program for Democratic Governance in the Americas;
- b. Continue to hold a meeting in the first quarter of each year to review activities undertaken by the Organization in the preceding calendar year to promote and strengthen democracy;
- c. Hold a meeting in October 2004 on strengthening political parties as key players in a democracy, with the support of the General Secretariat, through the Unit for the Promotion of Democracy (UPD), and with the presence of representatives of the Inter-American Forum on Political Parties (FIAPP); and
- d. Hold a meeting, in the first quarter of 2005, on the constitutional subordination of all state institutions to legally constituted civilian authority and on respect for the rule of law on the part of all institutions and sectors of society, with the support of the General Secretariat, through the UPD and with the presence of representatives from academic institutions, political parties, and civil society.

7. To recognize the work of the UPD as a focal point of the inter-American agenda in the area of democracy and, in particular, in the fulfillment of the mandates of the Summits process,

support for dissemination of the Inter-American Democratic Charter, and implementation of General Assembly mandates; and, in this regard, to request that the General Secretariat, through the UPD:

- a. Coordinate the activities and programs of the various units and offices of the General Secretariat relating to the promotion of democracy, in accordance with the Inter-American Democratic Charter, so as to be more effective in fulfilling the mandates on the inter-American agenda;
- b. Promote measures to provide governments and civil society with a better understanding of the Inter-American Democratic Charter and the inter-American agenda for the promotion and defense of democracy;
- c. Develop programs, with competent national authorities in member states who deem it appropriate, to strengthen the system of democratic institutions and the principles, values, and practices underpinning it, focusing on the essential components and vital elements of a representative democracy;
- d. Continue to prepare the annual inventory of activities related to the promotion of democracy, for consideration by the Permanent Council, and include specific suggestions for improving the impact of said activities;
- e. Continue its information-sharing with the Community of Democracies process, especially to promote awareness of the Inter-American Democratic Charter as a hemispheric contribution to that Community;
- f. Strengthen the capacity of the FIAPP as a basic mechanism for coordinating efforts in this area, and promote the necessary measures to carry out the Inter-American Agenda for the Modernization and Reform of Party Systems and Political Parties, and to lend technical assistance to member states that so request in the formulation and implementation of political reforms to strengthen party systems, increase the transparency of political funding, and enhance the capacity of parties to exercise their functions both within the government and as part of the opposition;
- g. Continue its efforts to promote political dialogue as a conflict prevention and resolution mechanism and as an instrument for strengthening democratic governance. In that connection, the holding in Lima, Peru, in March 2004, of the Regional Forum “Latin American Experiences with Dialogue and Consensus-Building, and the Challenge of Their Institutionalization” is a valuable example of cooperation between a member state and the General Secretariat in this area;
- h. Continue to provide support to the efforts of legislative bodies in member states to promote modernization and strengthening of legislatures, especially organization of the First Inter-American Forum on Legislative Modernization, as well as interparliamentary cooperation on key items of the inter-American agenda, with a view, in particular, to generating initiatives to

strengthen the capacity of parliaments to fight corruption and to combat poverty, inequality, and social exclusion;

- i. Generate initiatives to examine and bring about a better understanding of the role of the media in the promotion and defense of democracy;
  - j. Take into account in its activities the contribution that information and communications technology can make in developing more just, open, and democratic societies;
  - k. Present semiannual progress reports on the execution of its work plan; and
  - l. Promote examination of the relationship between democratic governance and the processes of decentralization and strengthening the intermediate and local levels, by way of a seminar coordinated with the authorities of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD) and with the participation of other international agencies.
8. To recognize the joint endeavors of the Unit for the Promotion of Democracy and the Unit for Social Development and Education in strengthening democracy through education as well as in the effort to link the democracy agenda with the promotion of social development.
9. To request that General Secretariat, through both units, and others, as appropriate:
- a. Continue to develop activities and programs to help member states carry out the mandates of the Summits of the Americas process, especially on the basis of the contents of the Declaration of Nuevo León as they pertain to democratic governance and social development;
  - b. Continue to support Permanent Council efforts to define the Program for Democratic Governance in the Americas and to identify the appropriate actions to improve democratic governance;
  - c. Promote activities to link the democracy agenda with the promotion of development; and to call on other institutions with responsibilities in the area of development to study how to move forward, together with the Inter-American Council for Integral Development (CIDI);
  - d. Present to the Permanent Council a basic document for preparation of an inter-American program for education in democratic values for peace and human rights, bearing in mind the recommendations of the special meeting of the Permanent Council, held on April 12 and 13, 2004, on the promotion of democratic culture through education; and

- e. Continue to develop training programs to promote the principles, values, and practices of a democratic culture, on the basis of Articles 26 and 27 of the Inter-American Democratic Charter.

10. To urge all bodies of the inter-American system, especially the Inter-American Commission of Women, the Inter-American Commission on Human Rights, and the General Secretariat, through the UPD and the Unit for Social Development and Education, to continue working to remove existing obstacles to full participation by women in democratic processes, taking into account Article 28 of the Inter-American Democratic Charter and the recommendations of Permanent Council meetings on this matter.

11. To urge member states and permanent observers to continue to contribute to the Special Fund for Strengthening Democracy, the Fund for Peace: Peaceful Settlement of Territorial Disputes, and the Permanent Specific Fund to Finance Activities Related to OAS Electoral Observation Missions.

12. To ensure that the actions and programs proposed in this resolution will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources.

13. To instruct the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

AG/RES. 2045 (XXXIV-O/04)

PROGRAM FOR DEMOCRATIC GOVERNANCE IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING that the Charter of the Organization of American States recognizes that representative democracy is an indispensable condition for the stability, peace, and development of the region;

BEARING IN MIND that the Inter-American Democratic Charter reaffirmed the commitment of the governments of the Americas to the promotion and consolidation of democracy, and that democracy is essential for the social, political, and economic development of the peoples of the Americas;

CONSIDERING that the Heads of State and Government, meeting at the Special Summit of the Americas in January 2004, adopted the Declaration of Nuevo León, in which they reaffirmed the Hemisphere's commitment to democracy and to the strengthening of democratic governance;

TAKING INTO ACCOUNT the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas [AG/DEC. 31 (XXXIII-O/03)];

RECALLING that resolution AG/RES. 1960 (XXXIII-O/03), "Program for Democratic Governance in the Americas," instructed the Permanent Council to prepare, on the basis of the decisions of the Heads of State and Government at the Special Summit of the Americas, and with support from the Unit for the Promotion of Democracy (UPD), a proposed "Program for Democratic Governance in the Americas," to be presented to the General Assembly at its thirty-fourth regular session; and

TAKING NOTE of the contributions made by member states (CP/CISC-82/04 corr. 1 add. 1 to 8) toward the preparation of a "Program for Democratic Governance in the Americas," pursuant to resolution AG/RES. 1960 (XXXIII-O/03),

RESOLVES:

1. To reiterate the commitment of the member states of the Organization to the full exercise and application in the Hemisphere of the democratic principles and values set forth in the Inter-American Democratic Charter and other relevant instruments, and to the search for the best mechanisms for their full development.
2. To reaffirm the contents of the Declaration of Nuevo León, especially in relation to democratic governance.

3. To adopt the document appended to this resolution, "Guidelines for the Program for Democratic Governance in the Americas"; and to request the Permanent Council to define that program, with the support of the Unit for the Promotion of Democracy and the Unit for Social Development and Education.

4. To instruct the Permanent Council and the General Secretariat to carry out the activities referred to in this resolution within the resources allocated in the program-budget of the Organization and other resources.

5. To request the Permanent Council to present a report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

GUIDELINES FOR THE  
“PROGRAM FOR DEMOCRATIC GOVERNANCE IN THE AMERICAS”  
[OPERATIVE PARAGRAPH 3 OF RESOLUTION AG/RES. 1960 (XXXIII-O/03)]

I. INTRODUCTION

The Charter of the Organization of American States established the commitment to democracy as one of the key features of the Organization. This commitment has evolved over time, so as to address political developments in the Hemisphere more effectively and confront the challenges of an ever-changing world with new and appropriate mechanisms.

Accordingly, at the thirty-third regular session of the General Assembly of the OAS, held in Chile in 2003, member states decided to address these new challenges by undertaking an analysis of democratic governance. As a result, the General Assembly adopted resolution AG/RES. 1960 (XXXIII-O/03). Operative paragraph 3 of the above-mentioned resolution instructed the Permanent Council “to prepare, on the basis of the decisions of the Heads of State and Government at the Special Summit of the Americas, and with support from the UPD, a proposed ‘Program for Democratic Governance in the Americas,’ to be presented to the General Assembly at its thirty-fourth regular session.” According to the distribution of mandates approved by the Permanent Council on July 16, 2003 (CP/doc.3763/03 rev. 1), consideration of this topic was delegated to the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC).

The first step taken to prepare the Program for Democratic Governance was the holding of a meeting of experts in November of 2003 to analyze the main challenges to democratic governance in the region. The Permanent Council received the report of the meeting and referred it to the Committee on Inter-American Summits Management. The CISC discussed the report and advanced in the preparation of various inputs, which became the basis for the current proposal, prepared jointly by the Unit for the Promotion of Democracy and the Unit for Social Development and Education of the General Secretariat.

II. BACKGROUND TO THE PROGRAM FOR DEMOCRATIC GOVERNANCE IN THE AMERICAS

In response to the new challenges in the Hemisphere, as well as the need to give concrete expression to the mandates of the Inter-American Democratic Charter, the Organization of American States has brought the issue of democratic governance to the forefront. In this regard, this issue falls within a broad perspective of democracy, as set forth in the Inter-American Democratic Charter, as well as a comprehensive perspective of development. As stated in the Inter-American Democratic Charter itself, in Article 11, “[d]emocracy and social and economic development are interdependent and are mutually reinforcing.”



This concept of democratic governance reaffirms and reinforces the basic principles set forth in Article 2 of the OAS Charter and in instruments and declarations on democracy adopted by the Organization throughout its existence, and in particular, since the return to democracy in the region. Without attempting to review each of these instruments in detail, it is worth citing those that have recently helped shape the Organization's position on the subject.

In this regard, it is important to mention "The Santiago Commitment to Democracy and the Renewal of the Inter-American System" (June 1991), the "Declaration of Managua for the Promotion of Democracy and Development" (1993), and, more recently, the "Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas."

Finally, one should mention the Declarations of the Heads of State and Government of the Summits of the Americas, and particularly, the third section of the Declaration of Nuevo León, which outlines the principal commitments related to democratic governance.

### III. CONCEPTUAL UNDERPINNINGS OF THE PROGRAM FOR DEMOCRATIC GOVERNANCE IN THE AMERICAS

Given that democracy and economic and social development are interdependent and mutually reinforcing, the current program seeks to establish their interrelation and integral nature in an effort to make the Program's objectives and actions complementary. The Program is geared toward making progress in addressing the "political, economic, and social challenges in order to foster credibility and public trust in democratic institutions," as expressed by the Heads of State and Government of the Americas in the Declaration of Nuevo León.

The multidimensional nature of democratic governance is evident in the many aspects that come into play in its analysis and practice. The basic understanding of the Organization of American States has been that democratic governance manifests itself in three different areas: the political-institutional, socioeconomic, and security. The proposed framework of the Program for Democratic Governance is built on the priority components identified for each area. It does not include every single aspect of the wide range of perspectives and activities that may be taken into account on such broad and complex subjects. This Program must also be developed with a clear gender perspective.

In the political-institutional area, the Program aims to consolidate the basic institutions of representative democracy, to facilitate the democratic management of conflicts particularly through conflict prevention and through conflict resolution, and to promote a democratic culture. In this domain, the Program further seeks to strengthen the capacity of key players, such as political parties and civil society organizations, to channel citizens' demands and reach the necessary agreements in society; to strengthen the rule of law and the separation and balance of powers; to protect human rights; and to advance in the fight against corruption. The underlying premise is that a well functioning democracy is a prerequisite for economic and social development.

In the socioeconomic area, the Program draws upon the consensus of the Organization expressed on various occasions that the welfare of the people requires that three closely linked and interdependent objectives be met: economic growth with equity to reduce poverty, social development, and democratic governance. Poverty, inequality, and social exclusion are recognized as

among the leading causes of instability in the region and should, therefore, be addressed integrally and as a matter of urgency.

In the security domain, the Program seeks to reaffirm the commitments adopted in the Declaration on Security in the Americas (2003) and, in particular, to address the multidimensional nature of security as recognized in the Declaration of Bridgetown (2002).

#### IV. OBJECTIVES

The following are the main objectives of the Program for Democratic Governance in the Americas:

A. To enhance the transparency and credibility of democratic institutions:

To promote the credibility of and public trust in democratic institutions, recognizing the integrated nature of the political, economic, and social aspects of development;

To strengthen the basic institutions of representative democracy, particularly, the transparency and legitimacy of electoral processes, and the observance of human rights;

To increase the transparency and credibility of the political system and of public institutions, particularly by strengthening mechanisms for the fight against corruption;

To promote the full exercise of democratic values and practices and harmonious relations among citizens;

To build efficient, transparent, and responsible public institutions and, in particular, to strengthen the effective separation and balance of powers;

B. To strengthen political representation and citizen participation:

To promote effective citizen participation, in particular, the participation of women, young people, minorities, and indigenous groups;

To strengthen political players, particularly political parties, and to seek to have them bring about the active involvement within their ranks of minority segments of the population that are excluded from political, economic, and social processes;

To promote research and analysis on the feasibility of applying new institutional mechanisms to support governance, in particular, as they may relate to current presidential and parliamentary systems;

- C. To emphasize the interrelationship between democratic governance on one hand, and economic, social, and cultural development and security-related matters, on the other:

To promote social development, adequate levels of well-being, and social participation for disadvantaged groups, as essential elements for eradicating poverty and social exclusion;

To promote access to decent and gainful employment as a necessary condition for the participation of citizens and communities in shaping an environment that fosters their general well-being.

To promote respect for and the development of cultural diversity in the Hemisphere as the basis for development, social cohesion, and harmonious relations among citizens;

To promote security in the Hemisphere in accordance with a multidimensional approach that takes into account traditional threats and the new threats, concerns, and other challenges to security in the countries of the Hemisphere;

To promote debate that can further the quest for a new paradigm geared toward achieving economic development with equity in order to reduce poverty, achieve social development, and strengthen democratic governance;

- D. Specific objectives of the Program include the following:

To contribute effectively to member states' efforts to strengthen democratic governance;

To establish a coherent and coordinated framework to guide the actions taken by all bodies of the Organization with respect to democratic governance, thereby avoiding duplication of efforts and rationalizing the Organization's activities;

To promote cooperation, the exchange of information, and political dialogue among member states on the subject of democratic governance;

To facilitate fundraising for cooperation in this area.

## V. GENERAL MANAGEMENT CRITERIA

Activities carried out under this Program will be based on the following guidelines:

Intersectoral cooperation aimed at integrating different views on economic, political, and social matters at the hemispheric and regional levels, conducting a comprehensive review of challenges to democratic governance, and preparing a work plan that incorporates these concerns;

An invitation to civil society organizations to participate along with the governments of our countries in the efforts to enhance governance, and the promotion of opportunities for civil society participation at all levels;

Interagency cooperation to ensure that the institutions in the inter-American system that are responsible for political, economic, and social issues work in a more integrated manner to strengthen democratic governance;

Efforts to improve follow-up to mandates emanating from the Summits of the Americas process and from sectoral ministerial-level meetings, related to the subject of democratic governance.

## VI. PRINCIPAL LINES OF ACTION

### A. In the political-institutional area

To convene a governmental conference on democratic governance in order to promote the preparation of national agendas on the topic;

To promote and undertake the study of political reforms needed to improve political systems in the region, both at a comparative level and for specific cases;

To promote and further full respect for human rights, as well as strategies for their protection and to seek mechanisms to facilitate, in particular, the exercise of economic and social rights;

To improve and strengthen mechanisms for conflict prevention, crisis management, and conflict resolution within states by facilitating dialogue and generating consensus;

To place emphasis on and ensure the separation and balance of powers and, particularly, to strengthen the capability and independence of the judiciary and its effectiveness in the administration of justice;

To ensure the transparency and legitimacy of electoral processes and, particularly, to advance in mechanisms which facilitate transparency with regard to political financing mechanisms;

To strengthen the capacity of legislatures and, in particular, to build mechanisms to enable them to develop effective oversight and political power;

To strengthen party systems and the political parties themselves, especially by instituting legal and financial guarantees to enable them to exercise their ongoing role of representing the demands of the citizenry and their democratic role as the opposition;

To promote the active participation of civil society organizations in public life and to design strategies for building social capital;

To improve strategies and mechanisms for the fight against corruption and to increase transparency in public administration and political activities;

To deepen decentralization processes and open up new opportunities for civic participation at the local level;

To promote a democratic culture, particularly through the design of formal and nonformal education strategies that may contribute to the exercise of civic values and to harmonious relations among citizens, and to promote the development of programs that facilitate a better understanding of citizens' rights and more active participation in political life;

To deepen state modernization processes and, in particular, to facilitate access to public information and the adoption of strategies which raise the level of efficiency, probity, and transparency.

B. In the economic and social area

To promote the search for points of consensus on fostering economic development with equity in order to reduce poverty;

To support the economic development of rural and indigenous communities, with special attention to self-management processes and community participation, to strengthen democratic governance in its global perspective and in accordance with inter-American guidelines;

To promote the organized and responsible participation of civil society, and greater scope for action by the affected groups themselves, in the application of targeted intersectoral programs to combat poverty;

To promote the training of various social and governmental players to strengthen their participation in the definition, execution, evaluation, and follow-up of strategies to fight poverty;

To create and strengthen mechanisms for civil society participation that seek to ensure transparency, access to public information, and accountability vis-à-vis the community with regard to the management and use of the resources of public institutions;

To promote public discussion and the adoption of mutually agreed upon mechanisms to alleviate the impact of economic crises on the well-being of vulnerable social sectors;

To raise the skills level of workers and improve working conditions throughout the Hemisphere, giving special attention to those segments of the population that have been hit the hardest by economic crises. To actively involve the labor movement and business associations in discussions on these topics;

To develop programs that boost micro- and small enterprises in response to the needs of vulnerable groups and as a strategy for earning a livelihood;

To ensure conditions to enable populations with specific cultural identities to help shape the parameters for citizen participation;

To implement strategies for the social inclusion of disadvantaged communities and their active participation in the life of the country, while respecting their identity and promoting a pluralistic climate;

To analyze and systematize experiences in the Hemisphere on developing intercultural dialogue as a means of promoting peace, eradicating all forms of discrimination, and achieving full participation by all people in political, economic, social, and cultural life.

C. In the area of security

To strengthen inter-American principles and instruments on security, in particular, the provisions agreed upon in the Declaration on Security in the Americas, and to actively support actions undertaken by the Committee on Hemispheric Security to develop them.

D. In the area of interrelationships among the various components:

To promote increased analysis of the relationship between democracy and development, in particular, by studying the specific interrelationship between the development agenda defined in the Monterrey Consensus and the "Millennium Development Goals," and the improvement of democratic governance in the region;

To move forward with the analysis of the interrelationships between political systems in the region and the challenges of poverty, inequality, and exclusion, so as to explore mechanisms for ensuring that democracy contributes to a more equitable and inclusive development;

To create opportunities for discussion and facilitate initiatives that connect the ongoing integration processes in the Hemisphere, in particular, the importance of building a future Free Trade Area of the Americas (FTAA), with democratic processes in the region;

To promote an analysis of the impact that the globalization process and, particularly, the role of international financial organizations, have on democratic governance in the region;

To move ahead with analysis of issues related to the democratic capacity to prevent and resolve conflicts;

To promote the organization of a special seminar of the Permanent Council on democratic governance with the participation of representatives of international organizations, such as the World Bank and the Inter-American Development Bank, among others.

## VII. METHODOLOGY FOR IMPLEMENTATION OF THE PROGRAM

### A. Defining priorities and drafting the work plan

Once the overall guidelines of the Program for Democratic Governance in the Americas are defined and approved, specific and priority program activities, which will generate the greatest possible impact, will be devised. To this end, the Inventory of activities on democracy carried out by the Organization and prepared annually by the UPD will be considered. In addition, proposals put forward by member states included in the document "Inputs for preparation of the Program" (CP/CISC-99/04) will be used as a basis. The Unit for the Promotion of Democracy and the Unit for Social Development and Education will use these inputs to draft a preliminary plan of action detailing the specific activities required to put in place the Program.

### B. Defining levels of management and institutional responsibilities

Specific activities to be carried out under this Program will be divided into several levels. The first level will include activities undertaken by the inter-American system, mainly through the Permanent Council and the General Secretariat of the Organization. The second level will include those activities which, by their very nature, correspond to the member states. The execution of these activities will be at the discretion (optional) of each member state. These activities will be promoted at the governmental conference which, through the exchange of information and methodologies, should encourage the development of national agendas for strengthening democratic governance. Finally, a third level will include activities that need the support and cooperation of other institutions that are not necessarily part of the inter-American system. This level could include activities undertaken by both international agencies and civil society organizations.

AG/RES. 2046 (XXXIV-O/04)

SUPPORT FOR THE RESTRUCTURING OF THE  
INTER-AMERICAN INDIAN INSTITUTE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1718 (XXX-O/00), "Reform of the Inter-American Indian Institute," and AG/RES. 1933 (XXXIII-O/03), "Support for the Restructuring of the Inter-American Indian Institute;

HAVING SEEN the Annual Report of the Inter-American Indian Institute to the General Assembly (CP/doc.3858/04);

REITERATING that indigenous issues are a priority on the inter-American agenda; and

BEARING IN MIND that the Inter-American Indian Institute was established in 1940 by the Pátzcuaro Convention, with the main purposes of requesting, compiling, or organizing scientific research, legislation, historical archives, and other documents related to indigenous peoples in the American Hemisphere, and carrying out publication and dissemination activities to bring about an increased awareness of indigenous peoples,

RESOLVES:

1. To recognize the work of the Inter-American Indian Institute and to encourage its Governing Board to continue its restructuring process, to give renewed impetus to fulfilling its objectives and functions, and to invite indigenous peoples to express their opinions in this process.
2. To request the Inter-American Indian Institute, on the basis of the work already done, in order to give renewed impetus to the fulfillment of its functions and, in consultation with the indigenous peoples, to present to the Permanent Council, as soon as possible, a proposal for restructuring the Institute.
3. To urge states with obligations to the Inter-American Institute to make timely payment of their contributions, thus enabling the Institute to carry out its work fully.
4. To invite member states that are not members of the Inter-American Indian Institute to consider joining it as an expression of support for its work and for its restructuring process.
5. To request the Inter-American Indian Institute to report to the General Assembly at its thirty-fifth regular session on the Institute's work and on the progress made in its restructuring and its financial situation.



AG/RES. 2047 (XXXIV-O/04)

PROTECTION OF ASYLUM SEEKERS, REFUGEES, RETURNEES, AND  
STATELESS PERSONS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING its resolution AG/RES. 1971 (XXXIII-O/03), "The Protection of Refugees, Returnees, and Stateless and Internally Displaced Persons in the Americas," and its resolutions AG/RES. 774 (XV-O/85), AG/RES. 838 (XVI-O/86), AG/RES. 951 (XVIII-O/88), AG/RES. 1021 (XIX-O/89), AG/RES. 1039 (XX-O/90), AG/RES. 1040 (XX-O/90), AG/RES. 1103 (XXI-O/91), AG/RES. 1170 (XXII-O/92), AG/RES. 1214 (XXIII-O/93), AG/RES. 1273 (XXIV-O/94), AG/RES. 1336 (XXV-O/95), AG/RES. 1416 (XXVI-O/96), AG/RES. 1504 (XXVII-O/97), AG/RES. 1602 (XXVIII-O/98), AG/RES. 1693 (XXIX-O/99), AG/RES. 1762 (XXX-O/00), AG/RES. 1832 (XXXI-O/01), and AG/RES. 1892 (XXXII-O/02);

WELCOMING the accession by Saint Vincent and the Grenadines to the 1967 Protocol relating to the Status of Refugees, with which a total of 29 OAS member states that are party to the 1951 Convention relating to the Status of Refugees and/or to its 1967 Protocol;

WELCOMING ALSO the adoption of domestic regulations to determine refugee status in Venezuela, Paraguay, Peru, and Uruguay, and the fact that thus far a total of 21 countries of the Hemisphere have in place domestic legislation pertaining to refugees, and that four other countries of the Hemisphere have existing bills pertaining to refugees;

NOTING WITH CONCERN the significant increase in asylum seekers and the existence of a large number of refugees in some countries of the Americas who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside the country of their nationality and are unable or, owing to such fear, are unwilling to avail themselves of the protection of that country; or who, not having a nationality and being outside the country of their former habitual residence as a result of such events, are unable or, owing to such fear, are unwilling to return to it;

NOTING the presentation made by the Office of the United Nations High Commissioner for Refugees (UNHCR) to the Permanent Council on May 14, 2004, entitled "International Protection of Asylum Seekers, Refugees, Internally Displaced Persons, Stateless Persons, and Other Persons of Interest to the UNHCR in the Americas: Importance of International Solidarity and Shared Responsibility";

RECOGNIZING the importance of efforts that could be made by countries of origin, with the support of the international community, to address the circumstances that generate flows of persons fleeing to seek asylum;

RECOGNIZING ALSO that the protection of refugees is a responsibility shared by the entire international community and that durable solutions depend on the will and capacity of states, guided by a spirit of humanitarianism and international solidarity;

UNDERSCORING that to promote enhanced protection for refugees, comprehensive strategies and coordinated actions are needed that include, among other aspects, voluntary repatriation and, when appropriate and feasible, local integration or resettlement in a third country, in a context of increasing solidarity and effective cooperation among all states, in keeping with the pertinent international conventions;

EMPHASIZING the efforts being made, even under difficult socioeconomic circumstances, by the countries of the region, faithful to their generous tradition of asylum, to continue giving protection to asylum seekers and to refugees;

CONSIDERING:

That the protection of asylum seekers, refugees, and stateless persons is strengthened through the increasing cooperation between the pertinent organs of the inter-American system, the UNHCR, and other pertinent players, as well as through support for programs that are carried out by governments for the protection of refugees; and

The importance of international dialogue, solidarity, and cooperation among the states and the international community to strengthen the international framework for the protection of refugees and to address new challenges; and

NOTING WITH PLEASURE the support of the UNHCR for the organization of events to commemorate the 20<sup>th</sup> anniversary of the 1984 Cartagena Declaration on Refugees, as well as the collaboration of the Government of Mexico as host country for that celebration in November 2004,

RESOLVES:

1. To urge the states parties to take or continue to take the necessary measures to strengthen refugee protection and make it more effective, including, *inter alia*, the adoption and implementation of national provisions pertaining to refugees and stateless persons and procedures for the determination of refugee status and for the treatment of asylum seekers and refugees, and to continue to implement fully and effectively their obligations under the 1951 Convention relating to the Status of Refugees and/or its 1967 Protocol, and, where applicable, under the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and other international and regional instruments, taking into account the special needs of vulnerable groups, such as women, children, persons with disabilities, and the elderly.

2. To urge those member states that have not yet done so to consider signing, ratifying, or acceding to, as the case may be, the international instruments on refugees and stateless persons or to consider withdrawing reservations made upon ratification or accession, as well as the adoption of necessary procedures and institutional mechanisms for the determination of refugee status and for the treatment of asylum seekers and refugees, in keeping with the principles established in the international and regional instruments, as applicable.

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Commented [KL14]: See [www.unhcr.bg/bglaw/en/Convention\\_reduction\\_statelessness\\_en.pdf](http://www.unhcr.bg/bglaw/en/Convention_reduction_statelessness_en.pdf) KRL

3. To encourage countries of origin to make every possible effort, with support from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the international community, to address the circumstances that generate flows of persons fleeing to seek asylum.

4. To urge member states to continue to apply protection measures that are consistent with international principles of international refugee protection, including, *inter alia*, non-refoulement, family unity, and confidentiality in cases of asylum.

5. To call on member states and the international community to increase technical and economic cooperation to the countries of the Hemisphere that receive refugees and that so require, and to work in cooperation with the UNHCR to provide effective protection to asylum seekers and refugees in the region.

6. To renew its appeal for international and inter-American cooperation to facilitate necessary assistance and protection in cases of mass flows of refugees as well as the search for durable solutions such as voluntary repatriation and, when appropriate and feasible, the local integration or resettlement of refugees in a third country, in accordance with international and regional instruments, as applicable.

7. To urge member states and to request the organs, agencies, and entities of the inter-American system to continue and increase their support for the UNHCR.

AG/RES. 2048 (XXXIV-O/04)

AMENDMENT OF ARTICLE 19.a.iii OF THE GENERAL STANDARDS  
ON THE LANGUAGE PROFICIENCY REQUIREMENT FOR  
CONTINUING CONTRACT ELIGIBILITY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That Article 19.a.iii of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States requires every candidate for a continuing contract in the General Secretariat to pass language proficiency exams "in at least two of the following languages: English, French, Portuguese, and Spanish";

That, in section IV.A.1.d of resolution AG/RES. 1974 (XXXIII-O/03), the General Assembly instructed the Permanent Council's Committee on Administrative and Budgetary Affairs "to determine the advisability of applying it [the language proficiency requirement] to lower level general services posts away from headquarters";

That insistence on the language requirement as a condition for continuing contracts for lower-level general services staff away from headquarters may unduly restrict the recruitment of otherwise qualified staff members looking to make a career in the General Secretariat in those duty stations where training in a second language is not easily accessible;

That although there is a recognized need for proficiency in at least two official languages for all staff members stationed at headquarters, as well as for all professionals and the G-6 administrative technicians in the Offices of the General Secretariat in the Member States, that need is less compelling for the G-3 level driver/clerk positions in those offices; and

That the General Secretariat's experience in testing proficiency in languages for the first group of candidates for continuing contracts during 2003 has demonstrated that testing candidates in their own native language could sometimes be unnecessary and potentially wasteful,

RESOLVES:

To amend Article 19.a.iii of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States by adding to it the text in italics below:

iii. The staff member has passed language proficiency exams administered by the appropriate dependency of the Secretariat for Management in at least two of the following languages: English, French, Portuguese, and Spanish—*provided, however,*

a. *Any staff member whose native language is one of those four languages shall only be required to demonstrate proficiency on an exam in one of the others; and*

b. *Staff members currently occupying G-3 driver/clerk positions in those Offices of the General Secretariat in the Member States where the language requirement unduly restricts the recruitment of otherwise qualified staff shall be exempt from this language proficiency requirement for as long as they occupy those positions. Subsequently, in order to be eligible to compete for a higher-level position while retaining continuing contract benefits, any staff member who has benefited from this exemption to acquire the continuing contract benefits while occupying G-3 driver/clerk positions in the Offices of the General Secretariat in the Member States must demonstrate proficiency in a second official language of the Organization.*

AG/RES. 2049 (XXXIV-O/04)

FOURTH REGULAR MEETING OF THE INTER-AMERICAN COMMITTEE ON  
SCIENCE AND TECHNOLOGY AND FIRST MEETING OF MINISTERS  
AND HIGH AUTHORITIES ON SCIENCE AND TECHNOLOGY  
WITHIN THE FRAMEWORK OF CIDI

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolutions AG/RES. 1807 (XXXI-O/01) and CIDI/RES. 14 (I-E/01), "First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI," regarding the meeting that was initially scheduled to be held in 2001 and was postponed; and

Resolutions CIDI/RES. 125 (VII-O/02) and AG/RES. 1856 (XXXII-O/02), "First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI," in which member states resolved to consider it a matter of priority to hold the meeting prior to the next Summit of the Americas;

TAKING INTO ACCOUNT:

That the Declaration of the Third Summit of the Americas noted that ministerial meetings were making important progress in support of the mandates of the Summit of the Americas process and that this cooperation would continue to develop; and

That the science and technology area has been considered to be a priority throughout the Summit of the Americas process, as reaffirmed in the Strategic Plan for Partnership for Development 2002-2005; and

CONSIDERING:

That the Inter-American Committee on Science and Technology (COMCYT) recommended that the Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI be held after the Third Summit of the Americas, with a view to following up on its mandates in the area of science and technology;

That it is important for the Hemisphere to hold at least one ministerial meeting on science and technology prior to the holding of the next Summit of the Americas, in order to advise the highest political levels of the priorities, needs, and recommendations of the highest authorities on science and technology of the Americas; and

That the Government of Peru has offered to host the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI and suggested holding it in Lima, Peru, on November 11 and 12, 2004,

RESOLVES:

1. To note with satisfaction the holding of the Fourth Regular Meeting of the Inter-American Committee on Science and Technology in Washington, D.C., on April 15 and 16, 2004.
2. To take note of the approval by the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) of the draft agenda for the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI.
3. To thank the Government of Peru for its generous offer to host the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI, scheduled to be held on November 11 and 12, 2004, in Lima, Peru.
4. To instruct the General Secretariat to continue providing, through the Office of Science and Technology and the Executive Secretariat for Integral Development, support for preparing and following up on the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI and support for preparing and following up on meetings in the area of science and technology.

AG/RES. 2050 (XXXIV-O/04)

COMBATING THE COMMERCIAL SEXUAL EXPLOITATION AND SMUGGLING OF  
AND TRAFFICKING IN CHILDREN IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING the importance of ensuring comprehensive and effective protection of children through appropriate mechanisms that guarantee respect for their rights;

RECOGNIZING that commercial sexual exploitation today, including the circulation of child pornography through the Internet and other media, and the smuggling of and trafficking in children are of concern both regionally and worldwide, and that this problem jeopardizes the rights of children, enshrined in a number of international instruments;

TAKING INTO ACCOUNT the American Declaration of the Rights and Duties of Man; the American Convention on Human Rights, Article 19 of which establishes that “[e]very minor child has the right to the measures of protection required by his condition as a minor on the part of his family, society, and the state”; and the United Nations Convention on the Rights of the Child, in which the states parties undertake to protect the child from all forms of sexual exploitation and sexual abuse (Article 34);

TAKING INTO ACCOUNT ALSO other international instruments relating to the fight against commercial sexual exploitation of children and against the smuggling of and trafficking in children in the Hemisphere, among them the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (adopted in 2000); the Convention on the Civil Aspects of International Child Abduction (adopted in 1980); the Inter-American Convention on International Traffic in Minors (adopted in 1994); the Inter-American Convention on the International Return of Children (adopted in 1989); the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and International Labour Organization Convention 182 on the Worst Forms of Child Labour;

BEARING IN MIND the efforts on the matter already under way in various organs, agencies and entities of the Organization and in other forums, in particular the consideration of this matter by the Inter-American Juridical Committee in 2000, the conclusion of which was that it was necessary to have as much information as possible before considering the need for an inter-American convention to fight sexual crimes against children beyond national borders; the coordination strategy which is being developed by the Inter-American Commission of Women on trafficking in women and children for purposes of sexual exploitation in the Americas; and the subregional workshops organized by the Inter-American Children's Institute on trafficking in children for purposes of sexual exploitation and child pornography; and



RECOGNIZING that ensuring success in the fight against the commercial sexual exploitation of children and against the smuggling of and trafficking in children in the Hemisphere calls for a global approach in which all factors contributing to the problem can be addressed and for measures to facilitate international cooperation, both legal and judicial, to ensure effective protection of the rights of children,

RESOLVES:

1. To reaffirm that the principles and standards set forth in the American Declaration of the Rights and Duties of Man and in the American Convention on Human Rights take on special importance with respect to protection of the rights of children.

2. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the international instruments relating to the fight against commercial sexual exploitation of children and against the smuggling of and trafficking in children in the Hemisphere, among them the Convention on the Rights of the Child (adopted in 1989); the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (adopted in 2000); the Convention on the Civil Aspects of International Child Abduction (adopted in 1980); the Inter-American Convention on International Traffic in Minors (adopted in 1994); and the Inter-American Convention on the International Return of Children (adopted in 1989); and to urge states parties to take the necessary measures to guarantee the rights contained in those instruments.

3. To request the Inter-American Commission of Women (CIM), in the context of the draft it is developing on the smuggling of and trafficking in women and children, for purposes of sexual exploitation in the Americas, to present to the Permanent Council, before December 31, 2004, for its consideration, a study on trafficking in children for purposes of commercial sexual exploitation in the Hemisphere.

4. To request the Inter-American Children's Institute (IIN) to present to the Permanent Council, before December 31, 2004, for its consideration:

- a. A report on the situation of children subjected to trafficking in the Hemisphere for purposes of sexual exploitation, so as to expand upon existing information on the smuggling of and trafficking in children and make possible the future design of actions and measures to fight the commercial sexual exploitation of, and the smuggling of and trafficking in, children in the Hemisphere; and
- b. A report on the existing framework of laws in the member states concerning these problems, especially at the criminal and procedural levels.

5. To request the Justice Studies Center of the Americas (JSCA) to present to the Permanent Council, before December 31, 2004, for its consideration, a report on the present capacity of judicial systems in the member states to deal with the problems of commercial sexual exploitation of, smuggling of, and trafficking in, children in the Hemisphere and on their application of domestic and international law.

6. To instruct the Inter-American Commission on Human Rights (IACHR) to consider Advisory Opinion OC-17/2002, "On the Legal Status and Human Rights of the Child," issued by the Inter-American Court of Human Rights on August 28, 2002, with a view to preparing a study on the implications of the conclusions of that Advisory Opinion for the inter-American system for the protection and promotion of human rights.

7. To request the CIM, the IIN, the JSCA and the IACHR to cooperate in the preparation of these studies.

8. To instruct the Permanent Council to convene a special meeting of the Committee on Juridical and Political Affairs, during the first quarter of 2005, to consider the documents presented by the CIM, the IIN, the JSCA, and the IACHR to recommend future measures to be taken in this regard.

9. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources.

AG/RES. 2051 (XXXIV-O/04)

SUPPORT FOR THE WORK OF  
THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council on the annual reports of the organs, agencies, and entities of the Organization (AG/doc.4332/04), in particular as they pertain to the Annual Report of the Inter-American Committee against Terrorism to the General Assembly (CP/doc.3589/04);

RECALLING its resolutions AG/RES. 1650 (XXIX-O/99), "Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism," AG/RES. 1734 (XXX-O/00), "Observations and Recommendations on the Annual Report of the Inter-American Committee against Terrorism," and AG/RES. 1789 (XXXI-O/01), AG/RES. 1877 (XXXII-O/02), and AG/RES. 1964 (XXXIII-O/03), all entitled "Support for the Work of the Inter-American Committee against Terrorism";

REITERATING WITH RENEWED CONCERN that the threat of terrorism is exacerbated by the connections between terrorism and illicit drug trafficking, illicit trafficking in arms, money laundering, and other forms of transnational organized crime and that the resulting alliances and benefits derived from those connections are or can be used to support and finance terrorist activities;

NOTING WITH SATISFACTION that the fourth regular session of the Inter-American Committee against Terrorism (CICTE) was held in Montevideo, Uruguay, from January 28 to 30, 2004, on which occasion the member states adopted the Declaration of Montevideo and the CICTE Work Plan, and agreed to submit draft amendments to the Statute of CICTE to the General Assembly at its thirty-fourth regular session for consideration;

REAFFIRMING that terrorism, whatever its origin or motivation, has no justification whatsoever, and that, in keeping with the Declaration of Montevideo, adopted by the member states at the fourth regular session of CICTE, terrorism constitutes a grave threat to democratic values and to international peace and security, destabilizes and undermines the foundations of society as a whole, and seriously affects economic and social development in the states of the region;

REAFFIRMING ALSO the main purpose of CICTE, which is to promote and develop cooperation among member states to prevent, combat, and eliminate terrorism, as well as the civilian nature of its functions as expressed in the amendments to the Statute of CICTE and described in the report of the Rapporteur on CICTE's fourth regular session;

NOTING WITH SATISFACTION that, with the ratifications of Antigua and Barbuda, Canada, El Salvador, Mexico, Nicaragua, and Peru, the Inter-American Convention against Terrorism entered into force on July 10, 2003, and that, in 2004, Panama and Venezuela also became states parties to the Convention;

REAFFIRMING the statements with respect to the fight against terrorism made in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City on October 27 and 28, 2003;

RECALLING the commitments with respect to the fight against terrorism contained in the Declaration of Nuevo León, adopted at the Special Summit of the Americas, held in Monterrey, Mexico, on January 12 and 13, 2004;

BEARING IN MIND United Nations Security Council resolution 1373 (2001), in which member states undertook to adopt specific measures to combat international terrorism;

UNDERSCORING that among the functions of CICTE is that of working with member states, in consultation with the Inter-American Commission on Human Rights (IACHR), in order to promote respect for international law, including international human rights law, international humanitarian law, and refugee law, in all actions undertaken by member states to prevent, combat, and eliminate terrorism; and

WELCOMING:

The increasing collaboration between the CICTE Secretariat and subregional and international organizations, including the United Nations Counter-Terrorism Committee (CTC), the United Nations Office on Drugs and Crime (UNODC), the International Civil Aviation Organization (ICAO), the International Maritime Organisation (IMO), the International Monetary Fund (IMF), the Financial Action Task Force on Money Laundering (FATF), the Caribbean Financial Action Task Force (CFATF), the South American Financial Action Task Force (GAFISUD), the Organization for Security and Co-operation in Europe (OSCE), the Asian-Pacific Economic Cooperation Forum (APEC), the Regional Security System of the Eastern Caribbean States (RSS), and the Pan American Health Organization (PAHO);

The holding of the first meeting of National Points of Contact on July 14 and 15, 2003, in Washington, D.C., and the establishment of a National Points of Contact network to facilitate and improve information exchange and to share best practices for cooperation in the fight against terrorism in the Hemisphere; and

That, in order to develop a draft integral OAS strategy on cybersecurity, as instructed in resolution AG/RES. 1939 (XXXIII-O/03), the OAS Conference on Cybersecurity was held in Buenos Aires, Argentina, on July 28 and 29, 2003, and the Cybersecurity Practitioners' Workshop was held in Ottawa, Canada, from March 28 to 30, 2004, with the assistance of CICTE, the Inter-American Telecommunication Commission (CITEL), and the Group of Governmental Experts on Cyber-Crime of the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA),

RESOLVES:

1. To reaffirm its commitment to continue strengthening hemispheric cooperation and implementing specific measures to prevent, combat, and eliminate terrorism.

2. To express its ongoing commitment to fight terrorism and the financing thereof with full respect for the rule of law and international law, including international humanitarian law, international human rights law, international refugee law, the Inter-American Convention against Terrorism, and United Nations Security Council resolution 1373 (2001).

3. To express satisfaction with the progress made by member states in the adoption of effective measures to prevent, combat, and eradicate terrorism; and to underscore the need to continue strengthening their application and that of cooperation mechanisms in the fight against terrorism at the bilateral, subregional, regional, and international levels.

4. To call upon the member states to sign, ratify, or accede to the Inter-American Convention against Terrorism, as appropriate, and to implement it effectively.

5. To endorse the Declaration of Montevideo and to encourage member states to implement the commitments contained therein.

6. To express its satisfaction with the work of the Inter-American Committee against Terrorism (CICTE) in identifying urgent and long-term measures to strengthen hemispheric cooperation to prevent, combat, and eliminate terrorism and, in particular, its efforts to strengthen port, maritime, and aviation security, and cybersecurity.

7. To urge CICTE to facilitate ongoing dialogue among member states with a view to undertaking preventive measures that anticipate and address emerging terrorist threats, whatever their origin, such as cybersecurity, bioterrorism, threats to critical infrastructure, and the possibility of access to and possession and use of weapons of mass destruction and related materials and their means of delivery, by terrorists.

8. To express its appreciation to the member states and permanent observers, as well as the Inter-American Defense Board, which have contributed personnel and other resources for the CICTE Secretariat and to support the implementation of the CICTE Work Plan.

9. To call on member states, permanent observers, and other members of the international community to provide, maintain, or increase, as appropriate, financial contributions to CICTE and to consider designating personnel for the CICTE Secretariat.

10. To urge the member states to:

- a. Intensify their actions to comply strictly with the provisions of United Nations Security Council resolution S/RES/1373 (2001), in particular the obligation to refrain from providing any kind of support to entities or persons who participate in the commission of terrorist acts; the obligation to deny refuge and/or safe haven to those who finance, plan, support, or commit

terrorist acts; and the duty to prevent their territories from being used to finance, plan, and facilitate the commission of such acts;

- b. Continue their efforts to implement the recommendations on financial and border controls, transportation security, and cybersecurity, adopted by CICTE at its fourth regular session, including, as appropriate, the incorporation of those recommendations into their domestic law, as well as the adoption of measures necessary for intensifying the exchange of information on the activities of terrorist groups;
- c. Forward periodically to the CICTE Secretariat information on their implementation of the recommendations contained in the CICTE Work Plan, and on their respective needs for cooperation;
- d. Lend the broadest and most expeditious mutual legal assistance in keeping with the multilateral and bilateral treaties and, to that end, participate in the mutual legal assistance network of the OAS; and
- e. Continue encouraging the broadest cooperation, within the appropriate OAS organs, on matters related to the objectives and purposes of the Inter-American Convention against Terrorism.

11. To instruct the CICTE Secretariat to implement the programs and projects listed in the CICTE Work Plan for 2004, and to assist the member states, when they so request, to implement the recommendations on border and financial controls; transportation security, in particular, maritime, port, and aviation security; and cybersecurity.

12. To reiterate the importance of strengthening collaboration, coordination, and information exchange on counterterrorism programs and activities between CICTE and the appropriate inter-American committees and mechanisms.

13. To instruct the General Secretariat to continue providing, within the resources allocated in the program-budget of the Organization and other resources, administrative and any other necessary support for the CICTE Secretariat and for the fifth regular session of CICTE, scheduled to be held in Trinidad and Tobago in the first quarter of 2005, including the preparatory meetings for that regular session and for the meeting of national points of contact which will take place in conjunction with that regular session.

14. To request the Chair of CICTE to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

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*The Style Committee agreed to remove the word "all" from the eleventh preambular paragraph, only in the English Language version of this resolution in order to make it consistent with the English language version of the corresponding article (13.g) of the Statute of the Inter-American Committee against Terrorism (CICTE).*

AG/RES. 2052 (XXXIV-O/04)

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW<sup>1/</sup>

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

REAFFIRMING the principles and purposes of the Charter of the Organization of American States and the Charter of the United Nations;

RECALLING its resolutions AG/RES. 1270 (XXIV-O/94), AG/RES. 1335 (XXV-O/95), AG/RES. 1408 (XXVI-O/96), AG/RES. 1503 (XXVII-O/97), AG/RES. 1565 (XXVIII-O/98), AG/RES. 1619 (XXIX-O/99), AG/RES. 1706 (XXX-O/00), AG/RES. 1771 (XXXI-O/01), AG/RES. 1900 (XXXII-O/02), AG/RES. 1904 (XXXII-O/02), AG/RES. 1929 (XXXIII-O/03), and AG/RES. 1944 (XXXIII-O/03);

DEEPLY CONCERNED over persistent violations of international humanitarian law affecting the world's civilian populations, in particular children and women;

AWARE that the aim of international humanitarian law is the protection of the civilian population and all persons affected by armed conflict and that it also establishes that the right of parties in armed conflict to choose the methods and means of war is not unlimited;

TAKING INTO ACCOUNT the commitments made by the international community as set forth in the Declaration and Agenda for Humanitarian Action of the 28<sup>th</sup> International Conference of the Red Cross and Red Crescent, held in Geneva, Switzerland, from December 2 to 6, 2003;

REAFFIRMING the importance of establishing measures to strengthen the role of the OAS in disseminating and promoting the application of international humanitarian law in the region;

RECALLING that it is the obligation of all states to respect and ensure respect, in all circumstances, for the 1949 Geneva Conventions and, for the states that are party thereto, the provisions contained in the 1977 Additional Protocols to those conventions, as well as the provisions and general principles established in international humanitarian law;

REITERATING the need for states to adopt legislative, administrative, educational, and practical measures for the application, at the national level, of international humanitarian law;

RECOGNIZING the important part played by the national committees or commissions established in numerous countries for the dissemination and application of international humanitarian law in ensuring that the Geneva Conventions and, where applicable, the Additional Protocols thereto, as well as the other instruments of international humanitarian law, are incorporated into the domestic

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1. The United States reserves on paragraphs 2.b, 2.c and 10 of this resolution and requests that its reservation be placed on record. The text of its statement appears as an annex to this resolution.

law of states parties to those instruments, so as to ensure proper compliance with and dissemination of those instruments;

AWARE of the need to prevent impunity and to bring to justice those responsible for war crimes, crimes against humanity, and other grave breaches of international humanitarian law;

RECALLING that the Rome Statute of the International Criminal Court defines the war crimes and crimes against humanity that the states parties thereto commit to punishing;

NOTING the growing number of ratifications of the Statute of the International Criminal Court;

EXPRESSING ITS SATISFACTION with the adoption of United Nations Security Council resolution 1502 (2003), which urged all those concerned, as set forth in international humanitarian law, to allow full unimpeded access by humanitarian personnel to all people in need of assistance;

EXPRESSING ALSO ITS SATISFACTION with the Meeting of National Committees on International Humanitarian Law in the Americas, held in Antigua, Guatemala, from August 27 to 29, 2003;

NOTING the Regional Meeting of Legal Advisers of the Armed Forces, held in Lima, Peru, on April 28 and 29, 2004;

CONCERNED over the disappearance of persons and the taking of hostages, particularly during armed conflict, and the suffering this causes to families and loved ones during and after the conflict;

UNDERSCORING the need to protect cultural property from the effects of armed conflicts;

TAKING NOTE of the adoption of a new protocol on explosive remnants of war by the states parties to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;

UNDERSCORING ONCE MORE the ongoing efforts of the International Committee of the Red Cross (ICRC) to promote and disseminate knowledge of international humanitarian law and the activities it carries out as an organization that is impartial, neutral, and independent under any and all circumstances; and

EXPRESSING ITS SATISFACTION with the special meeting of the Committee on Juridical and Political Affairs on promotion of and respect for international humanitarian law, held on March 25, 2004, at the headquarters of the Organization, with the participation of Dr. Luis Moreno Ocampo, Prosecutor of the International Criminal Court,



RESOLVES:

1. To urge the member states and all parties engaged in an armed conflict to honor their obligations under international humanitarian law, especially those that refer to protection of the civilian population and the treatment of prisoners of war.

2. To urge all member states of the Organization that have not yet done so to consider becoming party to the following treaties:

- a. The 1977 Additional Protocols I and II to the 1949 Geneva Conventions; and that they consider making the declaration contemplated in Article 90 of Protocol I;
- b. The 1998 Rome Statute of the International Criminal Court;
- c. The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction;
- d. The 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, including the amendment to its Article I adopted in 2001 and its five protocols;
- e. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, its 1954 Protocol, and its 1999 Second Protocol, on enhanced protection;
- f. The 1989 Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict, which includes their participation in hostilities and their recruitment into armed forces and armed groups;
- g. The 1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA); and
- h. The 1994 Convention on the Safety of United Nations and Associated Personnel.

3. To exhort the member states to respect and ensure respect for the basic provisions of international humanitarian law set forth in Article 3 common to the Geneva Conventions, and to call upon the parties in conflict to apply, as a minimum, those provisions in the event of armed conflict that is not of an international nature.

4. To urge member states to consider adopting the appropriate measures, at the national level, to address the grave humanitarian consequences of the unregulated availability of arms, including the enactment of domestic laws aimed at strengthening control over the manufacturing of

and illicit trafficking in firearms, ammunition, and other related materials, and to bear in mind the Programme of Action adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, July 9-20, 2001).

5. To urge states, in accordance with international legal obligations they have assumed, to pay special attention both in times of peace and in times of armed conflict to the obligation, in the study, development, acquisition, or adoption of new weapons or new means or methods of warfare, to determine whether their use would be contrary to international humanitarian law, and, in that event, neither to adopt them for use by the armed forces nor to manufacture them for such purposes.

6. To call upon the member states to implement effective mechanisms to follow up on family reunification programs and search programs for persons reported as missing in circumstances of armed conflicts or other situations of violence.

7. To urge member states to apply the necessary measures to protect cultural property from the effects of armed conflict, such as the identification, registration, or distinctive marking of such property.

8. To urge member states to consider establishing, if they have not yet done so, national committees or commissions on international humanitarian law to ensure effective coordination and the applicability of measures to prevent, disseminate, and apply international humanitarian law, with the support of the International Committee of the Red Cross.

9. To urge member states, and all those concerned, as set forth in international humanitarian law, to allow full unimpeded access by humanitarian personnel to all people in need of assistance, in keeping with United Nations Security Council resolution 1502 (2003).

10. To invite the states parties to the Rome Statute to define in their criminal legislation, in addition to crimes that must be repressed under other international humanitarian law treaties, those set forth in the Statute, and to adopt all measures necessary to cooperate effectively with the International Criminal Court.

11. To urge member states to adopt the necessary measures to implement, at the national level, the provisions contained in the instruments of international humanitarian law to which they are party, enlisting, if necessary, the technical assistance of the ICRC, and to bring about the widest possible dissemination of international humanitarian law throughout the population, particularly among the armed forces and security forces, by including it in military doctrine and manuals, and official instruction programs.

12. To call upon member states to consider promoting and applying the Agenda for Humanitarian Action, adopted at the 28<sup>th</sup> International Conference of the Red Cross and Red Crescent.

13. To invite member states to contribute to the search for solutions to the humanitarian problem associated with the use of mines other than antipersonnel mines.

14. To request the General Secretariat to continue to organize, through the Secretariat for Legal Affairs and in coordination with the ICRC, governmental conferences to disseminate and reinforce the implementation of international humanitarian law and related inter-American conventions.

15. To instruct the Permanent Council to continue to organize, with support from the General Secretariat and in cooperation with the ICRC, special meetings on topical issues in the area of international humanitarian law.

16. To instruct the Permanent Council to present a report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

STATEMENT BY THE DELEGATION OF THE UNITED STATES

The United States has long been concerned about the persistent violations of international humanitarian law and international human rights law throughout the world. We stand for justice and the promotion of the rule of law. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide and crimes against humanity, but we cannot support the seriously flawed International Criminal Court. Our position is that states are primarily responsible for ensuring justice in the international system. We believe that the best way to combat these serious offenses is to build and strengthen domestic judicial systems and political will and, in appropriate circumstances, work through the United Nations Security Council to establish ad hoc tribunals as in Yugoslavia and Rwanda. Our position is that international practice should promote domestic accountability. The United States has concluded that the International Criminal Court does not advance these principles.

The United States has not ratified the Rome Statute and has no intention of doing so. This is because we have strong objections to the International Criminal Court, which we believe is fundamentally flawed. The International Criminal Court claims jurisdiction over the nationals of states not party to the agreement. It has the potential to undermine the role of the United Nations Security Council in maintaining international peace and security. We also object to the Court because it is not subject to adequate checks and balances. We believe that an independent court with unchecked power is open to abuse and exploitation. Its structure lends itself to the great danger of politically-motivated prosecutions and decisions. The inclusion of the still-undefined crime of aggression within the statute of the Court creates the potential for conflict with the United Nations Charter, which provides that the Security Council determines when an act of aggression has occurred.

The United States notes that in past decades several member states have reached national consensus for addressing historic conflicts and controversies as part of their successful and peaceful transition from authoritarian rule to representative democracy. Indeed, some of those sovereign governments, in light of new events, evolved public opinion, or stronger democratic institutions, have decided on their own and at a time of their choosing to reopen past controversies. These experiences provide compelling support for the argument that member states—particularly those with functioning democratic institutions and independent functioning judicial systems—should retain the sovereign discretion to decide as a result of democratic and legal processes whether to prosecute or to seek national reconciliation by other peaceful and effective means. The United States is concerned that the International Criminal Court has the potential to undermine the legitimate efforts of member states to achieve national reconciliation and domestic accountability by democratic means.

Our policy on the ICC is consistent with the history of our policies on human rights, the rule of law and the validity of democratic institutions. For example, we have been a major proponent of the Special Court for Sierra Leone because it is grounded in sovereign consent, combines domestic and international participation in a manner that will generate a lasting benefit to the rule of law within Sierra Leone, and interfaces with the Truth and Reconciliation Commission to address accountability.

The United States has a unique role and responsibility to help preserve international peace and security. At any given time, U.S. forces are located in close to 100 nations around the world, for example, conducting peacekeeping and humanitarian operations and fighting inhumanity. We must ensure that our soldiers and government officials are not exposed to the prospect of politicized prosecutions and investigations. Our country is committed to a robust engagement in the world to defend freedom and defeat terror; we cannot permit the ICC to disrupt that vital mission.

In light of this position, the United States cannot in good faith join in the consensus on an OAS resolution that promotes the Court.

Furthermore, the United States has not acceded to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on their Destruction, or the "Ottawa Convention," and does not intend to do so. In light of this position, the United States cannot in good faith join in the consensus on an OAS resolution that promotes the Ottawa Convention.

AG/RES. 2053 (XXXIV-O/04)

CENTRAL AMERICAN DEMOCRATIC SECURITY MODEL

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the report “Contributions and Achievements of the Central American Integration System in the Field of Democratic Security That Are Relevant at the Hemispheric Level” (CES/INF.1/03 corr. 1) and the contribution of the 1995 Framework Treaty on Democratic Security in Central America to the new vision of hemispheric security and its multidimensional approach;

BEARING IN MIND the Central American Democratic Security Model of the Special Conference on Security, and the Declaration on Security in the Americas;

RECALLING the multidimensional approach to security, contained in the Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security, which indicates that the “new threats, concerns, and other challenges are cross-cutting problems that require multifaceted responses by different national organizations, all acting appropriately in accordance with democratic norms and principles”;

CONSIDERING the great progress made by the Central American Security Commission in executing the Central American Democratic Security Model;

REAFFIRMING the substantive contributions of the Central American Integration System to the hemispheric security system, and the progress achieved in the integral development of its democratic security model; and

NOTING WITH SATISFACTION:

The efforts of the Central American countries to deepen and broaden cooperation in matters of regional security through bilateral and subregional confidence- and security-building measures;

Their efforts to modernize and transform defense and security forces to face new threats, concerns, and other challenges of the 21<sup>st</sup> century;

The progress of the Central American countries within the framework of the Program for Arms Limitation and Control for Reaching a Reasonable Balance of Forces and Promoting Stability, Mutual Confidence and Transparency in Central America, which includes, *inter alia*, concrete actions such as the process of gradual weapons reduction, initiated voluntarily on May 4, 2004, by the Government of Nicaragua, the initiative of the Guatemalan Government to reduce its armed forces, as part of their restructuring and modernization process, and the ratification by Belize of the Framework Treaty on Democratic Security in Central America; and

The successful OAS Seminar on Identification, Collection, Stockpile Management, and Destruction of Small Arms and Light Weapons, held in Managua, Nicaragua, on May 12 and 13, 2004, the results of which will be considered by the Permanent Council,

RESOLVES:

1. To urge the Central American states that have ratified it to continue working on implementation of their successful Framework Treaty on Democratic Security and their initiatives, among others, with respect to the public security of persons and property, overcoming poverty, in particular extreme poverty, and corruption.
2. To instruct the General Secretariat to support, within the framework of the Organization's work programs, the development of initiatives presented by Central America in connection with the Central American Democratic Security Model.
3. To encourage the Central American states to take advantage of the support of relevant organs, agencies, entities, and mechanisms of the OAS and of the inter-American system to facilitate their process for promoting subregional security.

AG/RES. 2054 (XXXIV-O/04)

THE AMERICAS AS A ZONE OF PEACE AND COOPERATION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

BEARING IN MIND that, according to Article 2 of the Charter of the Organization of American States, one of the essential purposes of the Organization is to strengthen peace and security in the Hemisphere;

CONSIDERING:

That zones of peace contribute to the effective promotion of peace, security, and cooperation in the Americas, as recognized in United Nations General Assembly resolution 57/13 of November 2000 and OAS General Assembly resolution AG/RES. 1969 (XXXIII-O/03); and

That “[p]eace is a value and a principle in itself, based on democracy, justice, respect for human rights, solidarity, security, and respect for international law” and that “[o]ur security architecture will help preserve it through the strengthening of cooperation mechanisms among our states to address the traditional threats and the new threats, concerns, and other challenges facing our Hemisphere” (Declaration on Security in the Americas);

TAKING INTO ACCOUNT that peace is a value in itself and that cooperation should be based on lasting commitments that enhance a climate of trust and security to foster the development and comprehensive well-being of peoples, for the benefit of the region as a whole;

SUPPORTING the promotion and establishment of zones of peace at the bilateral or subregional level among member states;

REAFFIRMING that, in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City in October 2003, the member states considered “that zones of peace and cooperation contribute to peace, security, and cooperation in the Hemisphere” and therefore declared their support for “the creation of zones of peace at the bilateral or subregional level by member states”; and

NOTING WITH SATISFACTION the regional initiatives set out in the Andean Commitment to Peace, Security and Cooperation, contained in the Declaration of Galapagos of December 1989; the Declaration of Puntarenas of 1990, declaring Central America to be a region of peace, freedom, democracy, and development; the Declaration of MERCOSUR, Bolivia, and Chile as a Zone of Peace, signed in Ushuaia, Argentina, in July 1998; the commitment undertaken in the Brasilia Communiqué during the First Meeting of the Presidents of South America, on September 1, 2000; the Lima Commitment, established in the Andean Charter for Peace and Security, signed on June 17, 2002; and the Consensus of Guayaquil, Ecuador, of July 2002, in which the South American



presidents, inspired by the vocation to attain a peaceful coexistence, declared South America to be a Zone of Peace and Cooperation,

RESOLVES:

1. To reaffirm the content and aims of resolution AG/RES. 1969 (XXXIII-O/03), "Recognition of the South American Zone of Peace and Cooperation," in particular the expressed commitment of the Organization of American States to contribute effectively to initiatives carried out at the regional and subregional levels to strengthen peace.

2. To request the Permanent Council to continue to consider, in the Committee on Hemispheric Security, the topic of zones of peace and cooperation in the region, which will help to consolidate confidence-building measures in the various fields of defense and security and promote fruitful hemispheric cooperation, and to report on this matter to the General Assembly at its thirty-fifth regular session.

3. To continue to support the establishment of zones of peace at the bilateral and subregional levels among member states.

AG/RES. 2055 (XXXIV-O/04)

INTERNALLY DISPLACED PERSONS

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1971 (XXXIII-O/03), “The Protection of Refugees, Returnees, and Stateless and Internally Displaced Persons in the Americas”; and AG/RES. 774 (XV-O/85); AG/RES. 838 (XVI-O/86); AG/RES. 951 (XVIII-O/88); AG/RES. 1021 (XIX-O/89); AG/RES. 1039 (XX-O/90); AG/RES. 1040 (XX-O/90); AG/RES. 1103 (XXI-O/91); AG/RES. 1170 (XXII-O/92); AG/RES. 1214 (XXIII-O/93); AG/RES. 1273 (XXIV-O/94); AG/RES. 1336 (XXV-O/95); AG/RES. 1416 (XXVI-O/96); AG/RES. 1504 (XXVII-O/97); AG/RES. 1602 (XXVIII-O/98); and AG/RES. 1892 (XXXII-O/02);

REITERATING the principles established in the Inter-American Democratic Charter, especially those referred to in its Chapter III, “Democracy, Integral Development, and Combating Poverty;

RECALLING the pertinent international norms on human rights, humanitarian law, and refugee law, and recognizing that the protection of internally displaced persons has been reinforced by the identification, reaffirmation, and consolidation of specific protective standards, in particular the Guiding Principles on Internal Displacement, prepared by the Representative of the United Nations Secretary-General on Internally Displaced Persons;

RECALLING ALSO that, according to the those guiding principles, internally displaced persons are “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border”;

EMPHASIZING that the states have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address, as appropriate, the root causes of the internal displacement problem and to do so, when so required, in cooperation with the international community;

TAKING NOTE that several countries in the Hemisphere are using the Guiding Principles on Internal Displacement, prepared by the Representative of the United Nations Secretary-General on Internally Displaced Persons, including those on the development of national policies and strategies;

UNDERSCORING the holding of the Regional Seminar on Internal Displacement in the Americas, in Mexico City in February 2004, which made it possible to evaluate and identify possible solutions to the problem of internal displacement in the region;

TAKING INTO ACCOUNT that the problem of internally displaced persons is of significant proportions and that their needs, particularly with regard to protection and assistance, require immediate attention;

UNDERSCORING the importance of implementing effective policies for preventing and averting forced internal displacement and for protecting and assisting internally displaced persons during displacement, their return or resettlement, and their reintegration;

UNDERSCORING ALSO that to promote enhanced protection for internally displaced persons, comprehensive strategies and lasting solutions are needed, which include, among other aspects, the safe and voluntary return of internally displaced persons, promotion and protection of their human rights, and their resettlement and reintegration, either in their place of origin or in the receiving community; and

REAFFIRMING the importance of international cooperation, both from governments and from civil society institutions and organizations, in addressing fully and effectively the needs of internally displaced persons,

RESOLVES:

1. To urge member states to include, as appropriate, in their sectoral plans and programs the special needs of internally displaced persons.
2. To appeal to member states to consider the Guiding Principles on Internal Displacement, prepared by the Representative of the United Nations Secretary-General on Internally Displaced Persons, in designing public policy on this matter.
3. To urge member states to make every effort, as far as possible, with the support of the United Nations High Commissioner for Refugees, other international organizations, and the international community, to address the root causes of the internal displacement of persons.
4. To encourage member states to provide, on the basis of comprehensive and lasting strategies, protection and assistance to internally displaced persons and to facilitate the efforts of and access by appropriate United Nations agencies, as well as humanitarian organizations.

AG/RES. 2056 (XXXIV-O/04)

DRAFT SOCIAL CHARTER OF THE AMERICAS: RENEWAL OF THE HEMISPHERIC  
COMMITMENT TO FIGHT EXTREME POVERTY IN THE REGION

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING that the Charter of the Organization of American States establishes as one of its essential purposes the eradication of extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the Hemisphere;

BEARING IN MIND:

That representative democracy is indispensable for the stability, peace, and development of the region;

That the Inter-American Democratic Charter states that poverty, illiteracy, and low levels of human development are factors that adversely affect the consolidation of democracy; and

That the promotion and observance of economic, social, and cultural rights are inherently linked to integral development and to equitable economic growth;

RECALLING the Declarations of the Summits of the Americas, as well as the Declaration of Margarita, on poverty, equity, and social inclusion; and the Monterrey Consensus; and

TAKING INTO ACCOUNT that the elimination of extreme poverty is an essential part of the promotion and consolidation of representative democracy and is the common and shared responsibility of the American states,

RESOLVES:

To instruct the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to jointly prepare a draft Social Charter of the Americas and a Plan of Action,<sup>1/</sup> which includes the principles of social development and establishes specific goals and targets that reinforce the existing instruments of the Organization of the American States on democracy, integral development, and the fight against poverty, and to submit the results to the General Assembly at its thirty-fifth regular session for consideration.

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1. This is a reference to the "Inter-American Program to Combat Poverty and Discrimination" and any other action-oriented initiative that may emerge from relevant forums.

AG/RES. 2057 (XXXIV-O/04)

ACCESS TO PUBLIC INFORMATION: STRENGTHENING DEMOCRACY<sup>1/</sup>

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Permanent Council to the General Assembly on the Status of Implementation of Resolution AG/RES. 1932 (XXXIII-O/03), "Access to Public Information: Strengthening Democracy" (AG/doc.4339/04);

CONSIDERING that Article 13 of the American Convention on Human Rights provides that "[e]veryone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice";

CONSIDERING ALSO that Article 19 of the Universal Declaration of Human Rights includes the freedom "to seek, receive and impart information and ideas through any media and regardless of frontiers";

RECALLING that the Plan of Action of the Third Summit of the Americas, held in Quebec City in 2001, indicates that governments will ensure that national legislation is applied equitably to all, respecting freedom of expression and access to information of all citizens;

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1. The Bolivarian Republic of Venezuela considers that access to public information held by the state should be fully consistent with Article 13 of the American Convention on Human Rights, which establishes that "[e]veryone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice." Venezuela maintains that a democratic system for access to public information should allow all citizens, without exception, to seek, receive, and impart information. A citizen seeking information is consciously and fully exercising the right to access to information, and the state must promote the adoption of legal provisions guaranteeing the exercise thereof. Likewise, on the basis of the principle of equality before the law, the state must guarantee the same right to the poor, the underprivileged, and the socially disadvantaged. Along these lines, in keeping with said principle of equal participation, Venezuela presented the following proposal: "To instruct the Inter-American Commission on Human Rights to conduct a study on how the state can guarantee all citizens the right to receive public information, on the basis of the principle of the transparency of information, when it is disseminated through the mass media, in the full exercise of the right to freedom of expression and as an effective means of (AG/doc.4339/04) participation." Venezuela regrets that a response to the message of the poor has once again been postponed, as dramatically revealed in the study published by the World Bank, *Paying Attention to the Voice of the Poor*. We share the view of those who claim that refusing to grant the poor and the disadvantaged access to information condemns them to continued social and economic ostracism. Venezuela therefore urges the Inter-American Commission on Human Rights to take the initiative and, under the powers granted to it in the Inter-American Convention on Human Rights, to conduct the aforementioned study and report on the results thereof to the General Assembly at its thirty-fifth regular session.

EMPHASIZING that Article 4 of the Inter-American Democratic Charter states that transparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy;

NOTING that, in the Declaration of Nuevo León, the Heads of State and Government affirmed that access to information held by the state, subject to constitutional and legal norms, including those on privacy and confidentiality, is an indispensable condition for citizen participation and promotes effective respect for human rights, and, in that connection, that they are committed to providing the legal and regulatory framework and the structures and conditions required to guarantee the right of access to public information;

BEARING IN MIND the adoption of the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas" [AG/DEC. 31 (XXXIII-O/03)], as well as resolution AG/RES. 1960 (XXXIII-O/03), "Program for Democratic Governance in the Americas";

CONSIDERING that the Inter-American Agency for Cooperation and Development (IACD) has been identifying and facilitating access by member state governments to e-government practices that facilitate information and communications technology applications in governmental processes;

**Commented [KL15]:** This expression produces 37 hits in Google. "E-government practices" produces 457. However, I have used the first for readers who are not familiar with the expression. KRL

CONSIDERING ALSO that the Unit for the Promotion of Democracy (UPD) has been providing support to member state governments in dealing with the topic of access to public information;

NOTING the work accomplished by the Inter-American Juridical Committee (CJI) on this issue, in particular, the document "Right to Information: Access to and Protection of Information and Personal Data in Electronic Format," presented by Dr. Jonathan Fried (CJI/doc.25/00 rev. 1);

RECOGNIZING that the goal of achieving an informed citizenry must be rendered compatible with other societal aims, such as safeguarding national security, public order, and protection of personal privacy, pursuant to laws passed to that effect;

RECOGNIZING ALSO that democracy is strengthened through full respect for freedom of expression, access to public information, and the free dissemination of ideas, and that all sectors of society, including the media, through the public information they disseminate to the citizenry, may contribute to a climate of tolerance of all views, foster a culture of peace, and strengthen democratic governance;

TAKING NOTE of the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights; and

RECALLING initiatives taken by civil society regarding access to public information, in particular, the Declaration of Chapultepec, the Johannesburg Principles, the Lima Principles, and the Declaration of the SOCIUS Peru 2003: Access to Information,

**Commented [KL16]:** See <http://www.britishcouncil.org/socius/english/peru.htm> KRL

RESOLVES:

1. To reaffirm that everyone has the freedom to seek, receive, access, and impart information and that access to public information is a requisite for the very exercise of democracy.

2. To reiterate that states are obliged to respect and promote respect for everyone's access to public information and to promote the adoption of any necessary legislative or other types of provisions to ensure its recognition and effective application.

3. To encourage member states, in keeping with the commitment made in the Declaration of Nuevo León and with due respect for constitutional and legal provisions, to prepare and/or adjust their respective legal and regulatory frameworks, as appropriate, so as to provide the citizenry with broad access to public information.

4. To urge member states to take into consideration clear and transparent criteria for exemptions when drafting up and adapting their domestic legislation.

5. To encourage member states to take the necessary measures, through their respective national legislation and other appropriate means, to facilitate the electronic availability of public information.

6. To instruct the Special Rapporteurship for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) and the Unit for the Promotion of Democracy to:

- a. Support the efforts of member states that so request in drafting legislation and developing mechanisms in the area of access to public information and citizen participation; and
- b. Assist the Permanent Council in the preparatory work for the special meeting mentioned in paragraph 9.a.

7. To instruct the Special Rapporteurship for Freedom of Expression to continue to report on the situation regarding access to public information in the region in the annual report of the IACHR.

8. To instruct the Inter-American Agency for Cooperation and Development (IACD) to identify new resources to support member states' efforts to facilitate access to public information.

9. To recommend to the Permanent Council that it:

- a. Convene a special meeting with the participation of experts from the states and civil society representatives to promote, impart, and exchange experiences and knowledge with respect to access to public information and its relationship with citizen participation; and
- b. On the basis of the report of the special meeting, and through the Committee on Juridical and Political Affairs, prepare a basic document on best practices

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and the development of common approaches or guidelines for increasing access to public information.

10. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources.



AG/RES. 2058 (XXXIV-O/04)

SITUATION IN HAITI: STRENGTHENING OF DEMOCRACY

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

RECOGNIZING that the Charter of the Organization of American States affirms that representative democracy is indispensable for the stability, peace, and development of the region, and that one of the essential purposes of the OAS is to promote and consolidate representative democracy and respect for democratic institutions, with due regard for the principle of nonintervention; and that, in keeping with the Charter of the United Nations, it establishes essential purposes of the Organization, including the maintenance of peace and security in the Hemisphere and the promotion and consolidation of representative democracy;

REAFFIRMING the principles contained in the Inter-American Democratic Charter and in particular that the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it;

BEARING IN MIND that the Inter-American Democratic Charter recognizes as essential elements of representative democracy, *inter alia*, respect for human rights and fundamental freedoms; access to and the exercise of power in accordance with the rule of law; the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people; the pluralistic system of political parties and organizations; and the separation of powers and independence of the branches of government, and that representative democracy is strengthened and deepened by permanent, ethical, and responsible participation of the citizenry within a legal framework conforming to the respective constitutional order;

RECALLING its resolutions and those of the Permanent Council on the situation in Haiti, in particular resolution CP/RES. 862 (1401/04), which called upon the United Nations Security Council to take the necessary and appropriate urgent measures, as established in the Charter of the United Nations, to address the crisis in Haiti;

CONCERNED by the political crisis in Haiti since May 2000, during which the progressive deterioration of political conditions was characterized by violence and electoral difficulties, serious breaches of the rule of law, and a lack of agreement among the domestic political actors which impeded the efforts of the OAS, the Caribbean Community (CARICOM), and the international community to facilitate a peaceful and democratic solution to the crisis;

CONCERNED ALSO that on February 29, 2004, the crisis in Haiti, exacerbated by the inability to hold elections and the threat and use of violence, caused the abrupt departure of the democratically elected President of Haiti;

TAKING INTO ACCOUNT the resignation and abrupt departure of the former President of Haiti and the appointment of a transitional government in view of the exigencies of the situation;

NOTING the subsequent questions surrounding his resignation;

EMPHASIZING that there was an alteration of the constitutional regime which began prior to February 29, 2004, and which has damaged the democratic order in Haiti due to the nonexistence of a functioning parliament or democratically elected municipal authorities or an independent and free judiciary;

NOTING United Nations Security Council resolution 1529 (2004), which called on member states to support the constitutional succession and political process under way in Haiti and authorized the deployment of a Multinational Interim Force, as well its resolution 1542 (2004), which established the United Nations Stabilization Mission in Haiti;

REITERATING that the primary concern of the OAS in Haiti is the full restoration of a lasting democratic order and the economic and social as well as political well-being of the citizens of Haiti;

CONSIDERING that countries of CARICOM, in accordance with the provisions of the Inter-American Democratic Charter, requested that the Permanent Council undertake a collective assessment of the situation in Haiti;

EXPRESSING GRAVE CONCERN at the violence that was carried out by individuals and groups that resulted in loss of life, the destruction of private and public property, and human rights violations;

EXPRESSING its support for the work of the OAS Special Mission for Strengthening Democracy in Haiti, in particular the revitalization of democratic institutions in the areas of security, justice, human rights, and democratic governance;

ACKNOWLEDGING the importance of cooperation and coordination among the Organization of American States, the United Nations, and the Caribbean Community with a view to strengthening democracy in Haiti; and

SEEKING to promote the socioeconomic recovery of the Haitian people in a peaceful and stable political environment,

RESOLVES:

1. To request the transitional government in Haiti to continue to create conditions conducive to the holding of free, fair, and democratic elections in Haiti, as soon as possible, in keeping with the Inter-American Democratic Charter.

2. To request the OAS Special Mission for Strengthening Democracy in Haiti, in accordance with Articles 23 and 24 of the Inter-American Democratic Charter, to assist the Provisional Electoral Council in preparing, organizing, and overseeing the elections and the proclamation of results, in cooperation with the United Nations Stabilization Mission in Haiti (MINUSTAH).

3. To condemn the deplorable acts of violence that have resulted in tragic loss of life and destruction of private and public property in Haiti and to call for those responsible to be held accountable, in accordance with the rule of law.

4. To instruct the Permanent Council to undertake, in accordance with the principles and purposes of the Inter-American Democratic Charter, including Article 20, all necessary diplomatic initiatives, including good offices, to foster full restoration of democracy in Haiti.

5. To express solidarity with the people of Haiti and to support their resolve to promote full and lasting democracy and the strengthening of democratic institutions with guarantees for citizens and respect for fundamental freedoms within the framework of the Inter-American Democratic Charter; and to call on all sectors of Haitian society to undertake all necessary initiatives to achieve these objectives.

6. To call for the rapid normalization of democratic institutions in Haiti consistent with the Inter-American Democratic Charter.

7. To urge member states to contribute to MINUSTAH.

8. To reaffirm support for the OAS Special Mission for Strengthening Democracy in Haiti and its activities and the need to continue working in support of elections, the strengthening of democratic institutions, and the protection of human rights.

9. To instruct the Permanent Council to review the mandates of the OAS Special Mission for Strengthening Democracy in Haiti in light of the present circumstances and create, as appropriate, new mandates for that Mission.

10. To instruct the Secretary General to establish the necessary coordination with the Secretary-General of United Nations and to identify the areas of collaboration between the OAS Special Mission for Strengthening Democracy in Haiti and the United Nations, especially those related to strengthening of democratic institutions, the holding of elections, and the promotion of human rights.

11. To call on the international community and international financial institutions to act on their commitments to strengthen democracy in Haiti by supporting economic and social programs and comply with their other prior commitments, in order to alleviate the poverty that affects the majority of the population.

12. To express its support for United Nations actions and programs under United Nations Security Council resolutions 1529 (2004) and 1542 (2004) and to encourage all member states to respond positively to the request made therein for assistance to Haiti.

13. To urge all internal political actors in Haiti to begin a process of dialogue and national reconciliation, without exclusions, in order to facilitate a democratic, peaceful, and electoral solution to the current crisis, which should foster a real and lasting democracy in Haiti.

14. To urge the Inter-American Commission on Human Rights (IACHR) to monitor and report on the human rights situation in Haiti and to work with the OAS Special Mission for Strengthening Democracy in Haiti on the promotion and observance of those rights.

15. To instruct the Secretary General of the Organization of American States to report quarterly to the Permanent Council on the situation in Haiti and to keep it informed of the cooperation between the Organization of American States and the United Nations and the work of the OAS Special Mission for Strengthening Democracy in Haiti.

16. To request the Secretary General to transmit this resolution to the Secretary-General of the United Nations.

17. To request the Secretary General to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.

18. To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution.



AG/RES. 2059 (XXXIV-O/04)

PROGRAM-BUDGET OF THE ORGANIZATION FOR 2005;  
QUOTAS AND CONTRIBUTIONS TO FEMCIDI FOR 2005

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The proposed program-budget of the Organization for fiscal year 2005, presented by the Secretary General on March 4, 2004 (AG/CP/doc.664/04);

The report of the Preparatory Committee on the proposed program-budget of the Organization for 2005 (AG/doc.4329/04); and

The Annual Report of the Board of External Auditors (OAS/Ser.S JAE/doc.34/04), presented to the Permanent Council on May 5, 2004;

CONSCIOUS of the growth of mandates and the need to eliminate, or to consider transferring to other organizations and entities, those initiatives related to the mandates for which the Organization does not have a comparative advantage;

CONSIDERING:

That, in accordance with Articles 54 and 55 of the Charter of the Organization of American States, the General Assembly approves the program-budget of the Organization and establishes the bases for fixing the quota that each government is to contribute to the maintenance of the Organization, taking into account the ability to pay of the respective countries and their determination to contribute in an equitable manner;

That the Organization is mandated to give preference to priorities defined by its members, within the limits of its available resources;

That pursuant to the salary policy of parity with the United Nations established in resolution AG/RES. 1319 (XXV-O/95) and Article 40 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States (General Standards), the Secretary General adjusted the General Secretariat's 2004 net basic salary scales, increased the post adjustment for the Washington, D.C. area, and may make further such adjustments in 2005, resulting in an increase in object 1 of the 2005 program-budget;

That an increase in object 1, coupled with other mandatory increases in expenditures in other objects of expenditure and with no appreciable growth in levels of income to the Organization, will require exceptionally careful management of the personnel structure of the Organization, including

periodic revision of the 2005 program-budget during the course of 2005 in order to ensure that the needs of the Organization are met;

That at this thirty-fourth regular session, the General Assembly elected a new Secretary General for the term of five years; and

That the General Assembly instructed the Permanent Council to hold a private meeting on June 21 and 22, 2004, for the purpose of reflecting upon both the role the OAS should play in the Hemisphere and how the General Secretariat might best be reorganized to support that role, and it has also instructed the Secretary General to present to the Permanent Council by January 31, 2005, a "Restructuring Plan" for the General Secretariat, taking into account the report of that private meeting, the Deloitte & Touche Management Study of the Operations of the General Secretariat (Management Study), the report and recommendations of the Permanent Council on the Management Study, the Inspector General's comments on the Management Study; and other pertinent studies and reports;

TAKING NOTE:

That the Declaration of Quebec City instructed the ministries of foreign affairs to advance and deepen the process of reform in the OAS, to improve its functioning, and to enable the Organization to better implement Summit mandates; and

That, pursuant to resolution AG/RES. 1974 (XXXIII-O/03), the Permanent Council has received, analyzed, and made recommendations on the Management Study undertaken in accordance with resolution AG/RES. 1909 (XXXII-O/02) (CP/doc.3907/04); and

BEARING IN MIND that the United Nations and other international organizations have been successful in raising funds to supplement the funds provided by member states, and that it is necessary to coordinate fundraising efforts,

RESOLVES:

I. BUDGET APPROPRIATIONS

1. To approve and authorize the program-budget of the Organization for the fiscal period from January 1 through December 31, 2005, financed by the following funds at the corresponding levels:

	2005 (US\$1,000)
a. Regular Fund	76,275.5
b. FEMCIDI	<u>8,156.0</u>
	84,431.5

2. To approve the specific levels of appropriations, by chapter, program, and subprogram, with the recommendations, instructions, or mandates as detailed below:

	2005 (US \$1,000)
CHAPTER 1 GENERAL ASSEMBLY AND OTHER ORGANS	<u>12,274.0</u>
10A General Assembly (thirty-fifth regular session)	157.9
10B Administrative Tribunal sessions	45.6
10D Board of External Auditors	154.5
10E Secretariat of the General Assembly, the Meeting of Consultation, and the Permanent Council	1,351.3
10G Secretariat for Conferences and Meetings	5,040.1
10H Inter-American Drug Abuse Control Commission	356.6
10K Meetings of the Inter-American Council for Integral Development, ministerial meetings, and meetings of the inter-American committees	151.7
10O Inter-American Commission on Human Rights	3,077.8
10P Inter-American Juridical Committee	269.6
10Q Inter-American Court of Human Rights	1,391.3
10W OAS conferences	277.5
CHAPTER 2 SPECIALIZED ORGANIZATIONS AND OTHER ENTITIES	<u>4,181.7</u>
20A Inter-American Defense Board and Inter-American Defense College	1,486.9
20B Inter-American Children's Institute	1,188.2
20C Inter-American Commission of Women	823.1



	2005 (US \$1,000)
20D Pan American Development Foundation	140.0
20J Inter-American Telecommunication Commission	543.5
CHAPTER 3 EXECUTIVE OFFICES OF THE GENERAL SECRETARIAT	<u>10,901.7</u>
30A Office of the Secretary General	2,421.9
30B Office of the Assistant Secretary General	1,322.5
30C Department of Public Information	2,050.4
30D Department of Legal Services	967.9
30E Office of the Inspector General	811.2
30F Museum of Art of the Americas	699.1
30G Columbus Memorial Library	908.4
30H Protocol Office	492.6
30I Official functions (SG/ASG/PC)	40.7
30J Office of External Relations	465.7
30K Secretariat for the Summit Process	721.3
CHAPTER 4 UNITS AND SPECIALIZED OFFICES	<u>11,384.7</u>
40A Trade Unit	1,590.5
40B Foreign Trade Information System (SICE)	368.4
41C Unit for the Promotion of Democracy	2,579.7
42D Inter-Sectoral Unit for Tourism and Caribbean Tourism Organization	642.0
43A Executive Office of CICAD	1,741.1

	2005 (US \$1,000)
44E Unit for Sustainable Development and Environment	1,678.6
46F Unit for Social Development, Education, and Culture	1,517.2
48H Office of Science and Technology	1,267.2
CHAPTER 5 INTER-AMERICAN AGENCY FOR COOPERATION AND DEVELOPMENT	<u>11,442.9</u>
50A Office of the Executive Secretary/Director General	1,729.2
50B Department of Cooperation Policy	498.1
51A Department of Program Development	759.5
52A Department of Scholarships and Training	8,018.3
52B Department of Information Technology for Human Development	437.8
CHAPTER 6 OFFICES OF THE GENERAL SECRETARIAT IN THE MEMBER STATES	<u>5,880.6</u>
60G Offices of the General Secretariat in the Member States	5,880.6
CHAPTER 7 SECRETARIAT FOR LEGAL AFFAIRS	<u>2,248.6</u>
70A Office of the Assistant Secretary for Legal Affairs	589.0
70B Department of International Law	888.4
70G Secretariat of the Administrative Tribunal	234.6
70H Technical Secretariat for Legal Cooperation Mechanisms	536.6
CHAPTER 8 SECRETARIAT FOR MANAGEMENT	<u>11,437.1</u>
80M Executive Office of the Assistant Secretary for Management	474.8

	2005 (US \$1,000)
80P Department of Management Analysis, Planning, and Support Services	2,249.9
80Q Department of Technology and Facility Services	3,251.6
80R Department of Human Resource Services	1,806.0
80T Department of Procurement Management Services	1,252.3
CHAPTER 9 COMMON SERVICES	<u>6,524.2</u>
90B Computer equipment and supplies	356.3
90C Equipment and supplies	29.9
90D Building management and maintenance	1,902.8
90E General insurance	215.5
90F Post audits	19.5
90G Recruitment and transfers	53.9
90H Terminations and repatriations	633.3
90I Home leave	199.6
90J Education and language allowance, medical examinations	69.5
90K Pensions for retired executives and health and life insurance for retired employees	2,860.5
90L Human resource development	32.3
90M Contribution to the Staff Association	4.2
90Q OASES common costs	146.9

## II. BUDGET APPROPRIATION REVIEW

To authorize the Permanent Council to review and approve, on the basis of the Restructuring Plan submitted by the new Secretary General, as required, modifications to the 2005 program-budget.

## III. FINANCING OF THE BUDGET APPROPRIATIONS

1. To set the quotas with which the member states will finance the program-budget of the Organization for the year 2005 corresponding to the Regular Fund, in accordance with resolution AG/RES. 1073 (XX-O/90) and the decision of January 19, 1955 (doc.C-i-269) on income tax reimbursements, using the scale and amounts shown in Table B.

2. To finance the year 2005 program-budget of the Regular Fund only with the quotas of member states; interest and rental income; contributions for technical supervision and administrative support from FEMCIDI and from trust and specific funds; and all other miscellaneous income.

3. To authorize the contribution from FEMCIDI to the Regular Fund for technical supervision and administrative support under Article 79 of the General Standards at the statutory percentage of the level of approved programming in the year 2004, for execution in 2005 in accordance with the FEMCIDI Statutes.

## IV. GENERAL PROVISIONS

### A. BUDGETARY

#### 1. Personnel and organizational structure modifications

- a. To instruct the incoming Secretary General, by the power vested in him by Article 113 of the OAS Charter, to organize the structure of the General Secretariat and pursuant to the mandate to present a Restructuring Plan to the Permanent Council by January 31, 2005:
  - i. To take into account the recommendations set forth in the Management Study, together with the report of the Permanent Council containing recommendations on that study (CP/doc.3907/04), the report and recommendations of the Permanent Council emanating from the private meeting to be held in June 2004, and the Inspector General's comments on the Management Study, as well as other pertinent documents on the restructuring of the General Secretariat drawn up in prior years by the Secretariat and other organs and entities of the Organization;
  - ii. To include in the Restructuring Plan the proposed modifications to the program-budget necessary for the implementation of that plan for

the approval of the Permanent Council, to the extent necessary, under Article 103 of the General Standards;

- iii. To proceed promptly with the implementation of the Restructuring Plan, after having received the observations of the Permanent Council on the Plan and subject to the availability of approved resources; and
  - iv. To report quarterly to the Permanent Council on the progress made in implementing the Plan;
- b. To instruct the Secretary General that the number of trust positions funded by the Regular Fund should not exceed eight percent of the posts financed by that Fund, and to extend the mandates in resolution AG/RES. 1839 (XXXI-O/01) for the Secretary General to study the General Secretariat's policies on trust positions, with a view to reducing the number of such positions, and for the Permanent Council to consider recommendations for any necessary modifications to the General Standards;
- c. To extend the Permanent Council's mandate under resolution AG/RES. 1974 (XXXIII-O/03) to approve a system to establish and periodically adjust salaries of staff members in countries where the United Nations does not circulate salary scales or post adjustments;
- d. To instruct the Secretary General to implement more effective measures to assure that the repatriation grant, in accordance with the applicable Staff Rules, is paid only to those eligible former staff members who, upon their separation from service, present satisfactory evidence of the relocation of their principal residence to an approved location outside the country of their last duty station, and to report on those measures to the Permanent Council during the first semester of 2005; and
- e. To request the Secretary General to take into account the recommendations of the Inspector General (CP/CAAP-2699/04 add. 1) to establish, by way of the classification system, more uniform titles throughout the General Secretariat for staff members performing similar functions at similar grade levels.

2. Performance contracts (CPRs)

To reiterate the instruction to the General Secretariat set out in paragraph III.A.4 of resolution AG/RES. 1 (XXVII-E/00) to continue to submit to the Permanent Council every six months a report on all CPRs funded by any source. This report should include the source of funds used, the name of the CPR, the duration of the contract, and the amount of the contract. To better address staff needs in the areas and to ensure that performance contracts are used sparingly, the report of the General Secretariat must indicate how many times the person has worked for the OAS on a

performance contract and indicate the total amount of time this represents, the area of the Secretariat requiring the CPR, and a detailed justification of the need, as well as a statement of why onboard personnel cannot accomplish the task for which the CPR is needed.

The Secretary General should take into account the Inspector General's recommendations contained in document (CP/CAAP-2699/04 add. 1) for establishing uniform fees for services and work product provided under similar circumstances by performance contractors.

Additionally, the General Secretariat is requested to provide to the CAAP, with the above-mentioned report, a detailed justification statement from each dependency of the General Secretariat that has awarded more than 10 CPRs to "natural persons" during the previous six months with Regular Fund resources.

To add an Article 139 to Chapter X of the General Standards (Standards on Real or Apparent Conflicts of Interest Applicable to the Secretary General, the Assistant Secretary General, and the Other Staff Members of the General Secretariat), which shall state as follows:

*Article 139. Performance Contracts for Former Staff Members. The fee for services (not including per diem and reimbursable expenses) paid under a CPR financed by the Regular Fund to a former staff member of the General Secretariat within the two years following his/her separation from service shall not exceed the remuneration (basic salary, post adjustment, dependency allowance, and tax reimbursement) paid previously to the staff member.*

This provision shall remain in force indefinitely until otherwise modified or derogated.

3. Fundraising

To instruct the General Secretariat to provide a detailed report to the Permanent Council by October 31, 2004, on the amounts obtained by each dependency of the General Secretariat and by all other organs and entities financed in whole or in part by the Regular Fund. This report should cover the 12-month period ending June 30, 2004, and should include the following information: a list of all dependencies and entities involved in fundraising efforts, including any foundations raising funds on behalf of the OAS and its programs; amounts raised, both cash and in-kind; sources of the funds raised; a breakdown of costs incurred by the Regular Fund, in terms of personnel and other expenses, to pursue fundraising efforts and to execute programs financed by the funds raised.

4. New sources of revenue

To request from the General Secretariat a report on new sources of revenue for the OAS whereby self-financing of its activities might be increased. This report

should be delivered to the CAAP prior to the thirty-fifth regular session of the General Assembly.

5. Offices of the General Secretariat in the Member States

- a. To request the Secretary General to take measures to assure that the Offices of the General Secretariat in the Member States are appropriately staffed and funded and to report to the Permanent Council on those measures.
- b. To request the General Secretariat to submit to the Permanent Council, by December 1, 2004, the work plan of each office for 2005, and a report listing all funds or subsidies received from the host government as well as any other income obtained by the office during the 12-month period ending June 30, 2004. These reports should comply with uniform basic guidelines established by the Secretary General and should also identify the minimal activities expected of all offices as well as the specific objectives established for each office by the Secretary General.
- c. To extend the Permanent Council's mandate under paragraph III.A.19 of resolution AG/RES. 1839 (XXXI-O/01) to review the General Secretariat's evaluation of the operations of the Offices of the General Secretariat in the Member States, set out in document CP/doc.3532/01.

6. Renovations

To instruct the General Secretariat to continue to provide to the CAAP quarterly status reports on the details of the renovation projects in the Main Building, including on the technology upgrades in the Main and the Administrative Building. The reports shall include information on completion stages and timetables, and other related matters.

7. Scholarships

To authorize the General Secretariat to deposit in the Capital Fund for OAS Fellowship, Scholarship, and Training Programs under Article 18 of the Statutes of the Inter-American Agency for Cooperation and Development (IACD) any unused or deobligated funds from scholarships under object 3 to the extent permitted under Article 99 of the General Standards, including, *inter alia*, savings from the General Secretariat's agreement with "LASPAU: Academic and Professional Programs for the Americas." In implementing this mandate, the General Secretariat shall consult with the IACD Management Board and CEPACIDI and shall report quarterly to the CEPACIDI and to the Permanent Council.

8. Scale of quota assessments

To instruct the Permanent Council to continue its analysis of the scale of quota assessments mandated under resolutions AG/RES. 1594 (XXVIII-O/98), AG/RES. 2 (XXV-E/98), and AG/RES. 1697 (XXIX-O/99), and to present a report to the General Assembly at its thirty-fifth regular session for its consideration.

9. Prototypes for results-based and mandate-based budgets

To extend, in view of the Restructuring Plan to be presented by the new Secretary General, the consideration of the study presented by the General Secretariat pursuant to resolution AG/RES. 1839 (XXXI-O/01) (CP/doc.3526/01) until the thirty-fifth regular session of the General Assembly.

10. Annual reports

To encourage the organs, agencies, and entities of the Organization to continue to present their annual and special reports to the Secretary General in accordance with Article 35 of the Rules of Procedure of the Permanent Council and the guidelines established in resolution AG/RES. 1883 (XXXII-O/02), and to include in their next annual reports a section summarizing measurable results achieved, including quantifiable items such as resources obtained. This report should, among other things, disaggregate the overall information into sections by dependencies of the General Secretariat.

11. Payment of quotas

To encourage member states to continue to pay their quotas and their arrears pursuant to resolution AG/RES. 1757 (XXX-O/00), "Measures to Encourage the Timely Payment of Quotas."

12. OAS conferences – Subprogram 10W

To instruct the General Secretariat to present to the Permanent Council, before October 31, 2004, an informative list of conferences and meetings for the year 2005, in accordance with the procedures outlined in document CP/CAAP-2597/02 rev. 2.

13. Appointment of women to senior management positions

To direct the Secretary General to give high priority to the implementation of resolution AG/RES. 1954 (XXXIII-O/03), "Appointment of Women to Senior Management Positions at the OAS," and once again to urge all member states to continue to support and encourage the efforts of the Secretary General and of the Inter-American Commission of Women (CIM) by identifying and by regularly submitting, through their permanent missions to the OAS, the candidacies of the most highly-qualified women to occupy positions of trust within the OAS, and by



encouraging more women to apply for vacant positions, which will have been widely publicized in all member states.

14. Foundations

To instruct the General Secretariat:

- a. To provide to the Permanent Council a list of the foundations, nongovernmental organizations (NGOs), and other private entities created by the General Secretariat as of June 30, 2004, together with the following information:
  - i. The staff members (by type, under Article 17 of the General Standards) and performance contractors assigned by the General Secretariat to support (as board members, staff, and consultants) each entity;
  - ii. The annual financial statements received from each entity for fiscal years 2002 and 2003;
  - iii. The dates and titles of any agreements concluded between the entity and the General Secretariat; and
  - iv. The current procedures in force for approving the participation of the General Secretariat in the creation and support of those entities; and
- b. To freeze the General Secretariat's participation in the creation of any new foundations, NGOs, and other private entities, effective upon the conclusion of the thirty-fourth regular session of the General Assembly, until further notice from the CAAP. This measure shall not apply to trusts and similar entities created at the request of a member state to facilitate the implementation of specific projects within member states.

To request the Permanent Council to review current procedures for the General Secretariat's participation in the creation and support of foundations, NGOs, and other such entities, assess the effectiveness of the foundations, and establish a systematic means of oversight of those entities by the General Secretariat.

15. Overhead: Contributions for technical supervision and administrative support

To request:

- a. The Permanent Council to review policy decisions necessary to collect, streamline, and make equitable charges to specific funds for overhead;

- b. The General Secretariat to provide the Permanent Council with quarterly reports on all projects financed by specific funds, which contain the following information, by project:
    - i. The overhead revenue (contribution for technical supervision and administrative support) allocated to each dependency of the General Secretariat;
    - ii. The interest income earned; and
    - iii. The percentage of interest income earned and applied towards overhead charges; and
  - c. The Inspector General to review whether the existing procurement system within the management of specific fund projects can be done in a more cost-effective manner to reduce costs.
16. Procedures for initiating cooperative agreements
- a. To adopt the following procedures to be used by the General Secretariat for initiating its cooperative agreements with all entities in the OAS member states, other than public international organizations and agencies of non-OAS member states:
    - i. The General Secretariat shall notify the permanent mission of the member state where the entity is headquartered before approaching it for support or participation in OAS programs;
    - ii. The General Secretariat shall provide the corresponding permanent mission with contact information and copies of proposed agreements prior to signature; and
    - iii. The General Secretariat shall take into account the timely observations of the corresponding permanent mission.
  - b. To request the General Secretariat to submit a report to CAAP by September 2004 on those cooperative agreements (including memoranda of understanding and exchanges of letters) signed by the General Secretariat through the IACD since January 1, 2000, under which the General Secretariat has outstanding responsibilities.

B. OTHER

1. Honoraria

To maintain the sum of US\$150 a day for honoraria paid to members of the following bodies entitled to such payment: Administrative Tribunal, Board of External Auditors, Inter-American Commission on Human Rights, Inter-American Juridical Committee, and Inter-American Court of Human Rights.

2. Permanent observers and other donors

To recognize the support of the permanent observers and other donors and to encourage them to continue to provide cash and in-kind contributions to the programs, projects, and other activities of the Organization.

3. Program-budget for 2006

- a. To instruct the General Secretariat to submit to the Preparatory Committee a proposed program-budget for the Regular Fund for the year 2006, at the level for which the Secretary General can demonstrate available financing, but not to exceed US\$76,275,000. Income shall include only: quota income; interest and rental income; contributions for technical supervision and administrative support from FEMCIDI and from trust and specific funds; and other miscellaneous income.
- b. The total expenditure for object 1 shall not exceed US \$50,474,200, plus any statutory increases that may be required.
- c. To reiterate that no resolution requiring Regular Fund financing may be transmitted to the plenary of the General Assembly without an accompanying opinion from the Committee on Administrative and Budgetary Affairs of the Permanent Council or from the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee, on the availability of financing from the Regular Fund.

Table A.1  
PROGRAM-BUDGET OF THE ORGANIZATION FOR 2005;  
APPROVED EXPENDITURES BY CHAPTER FOR 2005  
(US\$1,000)

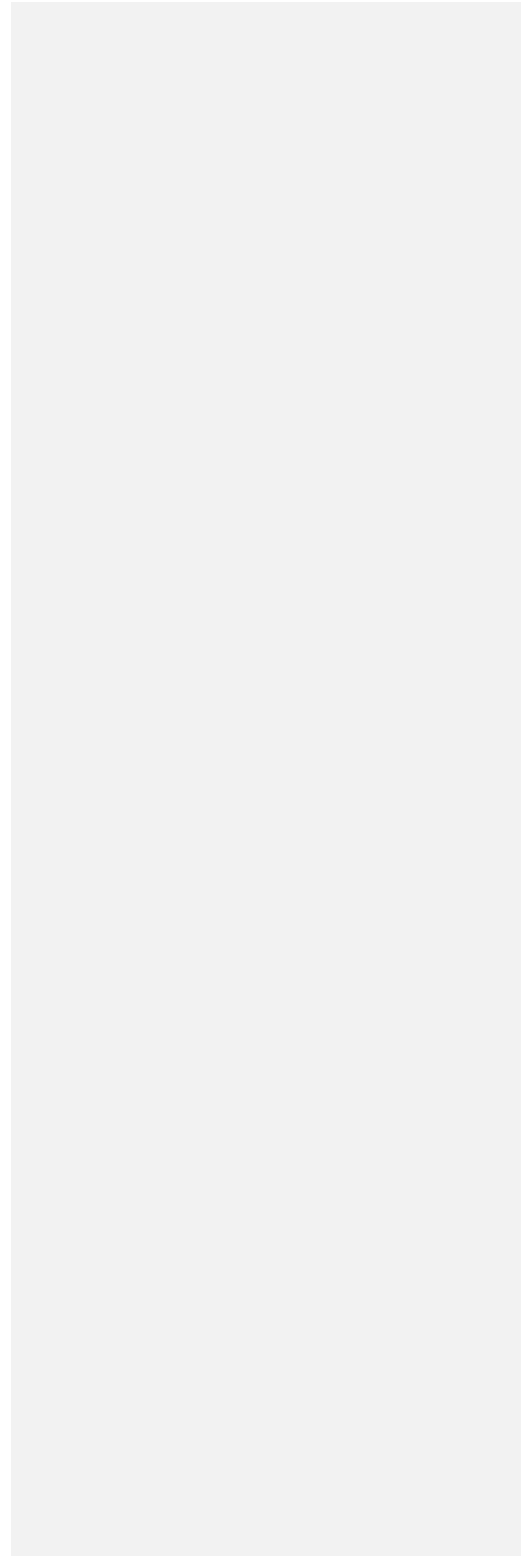
<u>BUDGETARY APPROPRIATIONS</u>	<u>TOTAL</u>	<u>REGULAR FUND</u>	<u>FEMCIDI</u>
1. GENERAL ASSEMBLY AND OTHER ORGANS	12,274.0	12,274.0	
2. SPECIALIZED ORGANIZATIONS AND OTHER ENTITIES	4,181.7	4,181.7	
3. EXECUTIVE OFFICES OF THE GENERAL SECRETARIAT	10,901.7	10,901.7	
4. UNITS AND SPECIALIZED OFFICES	11,384.7	11,384.7	
5. INTER-AMERICAN AGENCY FOR COOPERATION AND DEVELOPMENT	19,598.9	11,442.9	8,156.0
6. OFFICES OF THE GENERAL SECRETARIAT IN THE MEMBER STATES	5,880.6	5,880.6	
7. SECRETARIAT FOR LEGAL AFFAIRS	2,248.6	2,248.6	
8. SECRETARIAT FOR MANAGEMENT	11,437.1	11,437.1	
9. COMMON SERVICES	6,524.2	6,524.2	
TOTAL APPROPRIATIONS	<u>84,431.5</u>	<u>76,275.5</u>	<u>8,156.0</u>

Table A.2  
PROGRAM-BUDGET OF THE ORGANIZATION FOR 2005,  
FINANCING THE BUDGET OF THE ORGANIZATION FOR THE YEAR 2005  
(US\$1,000)

1.	<u>Regular Fund</u>	<u>Total</u>	<u>Regular Fund</u>	<u>FEMCIDI</u>
a.	Quotas	73,727.1	73,727.1	
b.	Contribution for technical supervision and administrative support		1,223.4	(1,223.4)
c.	Other income	1,325.0	1,325.0	
2.	<u>FEMCIDI</u>			
a.	Pledges received			
b.	Pledges pending	<u>8,156.0</u>		<u>8,156.0</u>
	TOTAL	<u>83,208.1</u>	<u>76,275.5</u>	<u>6,932.6</u>

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<http://scm.oas.org/pdfs/2004/AG02528E.xls>



AG/RES. 2060 (XXXIV-O/04)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF ECUADOR

(Adopted at the fourth plenary session, held on June 8, 2004)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the hospitality of the people and Government of Ecuador made it possible to hold the thirty-fourth regular session of the General Assembly in Quito, Ecuador, from June 6 to 8, 2004; and

That, during the plenary sessions, the delegations underscored their deep appreciation to His Excellency Ambassador Patricio Zuquilanda Duque, the Minister of Foreign Affairs of Ecuador, for his sound judgment and efficiency in presiding over the debate, which resulted in the adoption of important declarations and resolutions on topics of high priority for the hemispheric agenda,

RESOLVES:

1. To express its appreciation to the people and Government of the Republic of Ecuador for their warm and generous hospitality and for their contribution to the successful outcome of the thirty-fourth regular session of the OAS General Assembly.

2. To express its gratitude and congratulations to His Excellency Ambassador Patricio Zuquilanda Duque, the Minister of Foreign Affairs of Ecuador, for his outstanding work as President of the thirty-fourth regular session of the General Assembly.

3. To express its gratitude and congratulations to His Excellency Ambassador Marcelo Hervas, Permanent Representative of Ecuador to the OAS, to the members of the Permanent Mission of Ecuador, and to the staff of the Ministry of Foreign Affairs of Ecuador, who contributed with great efficiency, dedication, and professionalism to the success of the thirty-fourth regular session of the General Assembly.

## THE ORGANIZATION OF AMERICAN STATES

The Organization of American States (OAS) is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. At that meeting the establishment of the International Union of American Republics was approved. The Charter of the OAS was signed in Bogotá in 1948 and entered into force in December 1951. The Charter was subsequently amended by the Protocol of Buenos Aires, signed in 1967, which entered into force in February 1970; by the Protocol of Cartagena de Indias, signed in 1985, which entered into force in November 1988; by the Protocol of Managua, signed in 1993, which entered into force on January 29, 1996; and by the Protocol of Washington, signed in 1992, which entered into force on September 25, 1997. The OAS currently has 35 member states. In addition, the Organization has granted permanent observer status to 59 states, as well as to the European Union.

The essential purposes of the OAS are: to strengthen peace and security in the Hemisphere; to promote and consolidate representative democracy, with due respect for the principle of nonintervention; to prevent possible causes of difficulties and to ensure peaceful settlement of disputes that may arise among the member states; to provide for common action on the part of those states in the event of aggression; to seek the solution of political, juridical, and economic problems that may arise among them; to promote, by cooperative action, their economic, social, and cultural development; and to achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states.

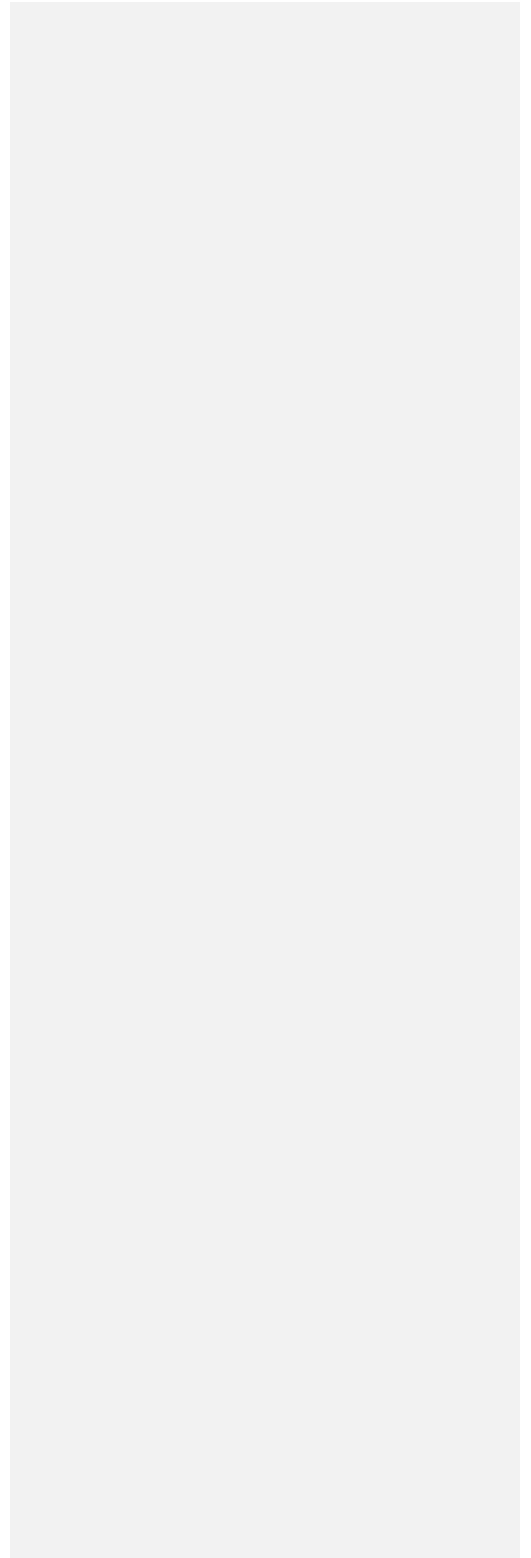
The Organization of American States accomplishes its purposes by means of: the General Assembly; the Meeting of Consultation of Ministers of Foreign Affairs; the Councils (the Permanent Council and the Inter-American Council for Integral Development); the Inter-American Juridical Committee; the Inter-American Commission on Human Rights; the General Secretariat; the specialized conferences; the specialized organizations; and other entities established by the General Assembly.

The General Assembly holds a regular session once a year. Under special circumstances it meets in special session. The Meeting of Consultation is convened to consider urgent matters of common interest and to serve as Organ of Consultation under the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), the main instrument for joint action in the event of aggression. The Permanent Council takes cognizance of such matters as are entrusted to it by the General Assembly or the Meeting of Consultation and implements the decisions of both organs when their implementation has not been assigned to any other body; it monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and it also acts provisionally as Organ of Consultation under the Rio Treaty. The General Secretariat is the central and permanent organ of the OAS. The headquarters of both the Permanent Council and the General Secretariat are in Washington, D.C.

**MEMBER STATES: Antigua and Barbuda, Argentina, The Bahamas (*Commonwealth of*), Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica (*Commonwealth of*), Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.**



ISBN 0-8270-4703-7



OEA/Ser.P/XXXIV-O.2

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