



No-OAS-0019

The Permanent Mission of Canada to the Organization of American States presents its compliments to the General Secretariat of the Organization of American States and, pursuant to AG/RES1923 (XXXIII-O/03), would like to share its views regarding future work at CIDIPs and to propose a subject for the agenda of the upcoming 7th Inter-American Specialized Conference on Private International Law (CIDIP-VII).

Canada is strongly of the view that it is important and preferable that the subjects already dealt with or that will be dealt with in multilateral fora as the Hague Conference on Private International Law, the United Nations Commission on International Trade Law (UNCITRAL) or the International Institute for the Unification of Private Law (Unidroit) should not be dealt with at the CIDIPs in order to avoid duplication of efforts and precious resources;

For example, general subject on electronic commerce, transport law, investment securities, protection of incapacitated adults, crossborder business insolvency, international legal rights for the transferability of tangible and intangible goods in international trade and arbitration and dispute resolution are all subjects already dealt with in international multilateral global organisations, certain of which a number of American States, if not all, are members;

Canada strongly supports the idea that subjects to be dealt with in CIDIP-VII should have some particular regional interest and be feasible and limited in number. With this in mind, Canada would specifically ask that the general issue of e-commerce should not be included in the agenda of CIDIP-VII;

Canada could however see the usefulness of including on the agenda specific aspects of e-commerce that relates directly to jurisdictional issues relating to consumer protection. In recognition of the exponentially increasing cross-border electronic transactions involving consumers, Canada notes the need to develop jurisdictional practicable and reasonably predictable rules for cross-border business and consumer transactions on the Internet. This might be done through an OAS Model Law that would bring more flexibility in implementation than a Convention;

The Permanent Mission of Canada to the Organization of American States avails itself of this opportunity to renew to the General Secretariate the assurances of its highest consideration.

Washington, D.C.
January 20, 2004

