

ORGANIZATION OF AMERICAN STATES
GENERAL ASSEMBLY



THIRTY-FIFTH REGULAR SESSION
FORT LAUDERDALE, FLORIDA, UNITED STATES OF AMERICA
June 5 – 7, 2005

PROCEEDINGS VOLUME I

AG/DEC. 41 - AG/DEC. 45 (XXXV-O/05)
AG/RES. 2061 - AG/RES. 2157 (XXXV-O/05)

CERTIFIED TEXTS OF THE DECLARATIONS AND RESOLUTIONS

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

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GENERAL ASSEMBLY



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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-fifth regular session, held in Fort Lauderdale, Florida, United States of America from June 5 to 7, 2005.

José Miguel Insulza
Secretary General
Organization of American States

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AG/DEC. 41 (XXXV-O/05)

DECLARATION OF FLORIDA
DELIVERING THE BENEFITS OF DEMOCRACY

(Adopted at the fourth plenary session, held on June 7, 2005)

The Ministers of Foreign Affairs and Heads of Delegation of the member states of the Organization of American States (OAS), attending the thirty-fifth regular session of the General Assembly of the OAS, in Fort Lauderdale, Florida, United States of America,

REAFFIRMING the commitment of the member states to uphold the principles, duties, and rights of the OAS Charter, in particular those set out in its Articles 1, 3, 10, 11, 12, and 33, and to act in accordance therewith in their inter-American relations;

BEARING IN MIND that the Inter-American Democratic Charter establishes that the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it, and that democracy is essential for the social, political, and economic development of the peoples of the Americas;

DETERMINED to promote and defend democracy on the basis of the commitments arising from the OAS Charter and the Inter-American Democratic Charter;

RECOGNIZING that the Inter-American Democratic Charter serves as a positive example to all those who aspire to democracy;

CONSIDERING that adherence to the Inter-American Democratic Charter, as the standard that enables observance and defense of democratic values and principles, strengthens and is a key element for member states' full participation in the inter-American system, pursuant to the principles of the OAS Charter;

COMMITTED to advancing the prosperity, democratic values, democratic institutions, and security of our Hemisphere;

DETERMINED to adopt and implement those actions required to generate productive employment, reduce poverty, and especially eradicate extreme poverty, while taking into account the different economic realities and conditions of the countries of the Hemisphere, and that 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;

RECOGNIZING that the stated goals require the creation of decent, productive jobs, and that liberalized trade without distortive effects and an effective multilateral financial system will contribute to these goals, thereby reinforcing democratic stability in the region;

RECOGNIZING ALSO the legitimate aspirations of all the peoples of the Americas to live in democracy and enjoy the rights and benefits enumerated in the OAS Charter and the Inter-American Democratic Charter;

RECOGNIZING FURTHER that all our citizens can freely determine their political status and pursue their economic, social, and cultural development, and that every member state has the duty to respect this;

AWARE that democracy and social and economic development are interdependent and are mutually reinforcing;

CONSIDERING that our citizens embrace democracy as the form of government that should deliver a better quality of life;

AWARE that each of the sectors of society can contribute to attaining the benefits of democracy through equitable economic growth that fosters social inclusion and social mobility, integral development, and income distribution;

RECOGNIZING the importance of participation by civil society organizations;

AWARE that the peoples of the Hemisphere are entitled to freedom, fundamental human rights, respect for the dignity and worth of the human person, equal rights for men and women, and the promotion of social progress and better living standards;

REAFFIRMING the commitment to eliminating all forms of discrimination and intolerance, particularly those based on gender, ethnic origin, race, religion, and disability, as a fundamental element in strengthening democracy;

CONVINCED that countries must be governed democratically, with full respect for human rights and fundamental freedoms, the rule of law, the separation of powers and independence of the judiciary, and democratic institutions—and that the governments of the Americas have an obligation under the OAS Charter and the Inter-American Democratic Charter to promote and defend democracy and must be answerable to their peoples;

EMPHASIZING that, for democracy to prosper, governments must be responsive to the legitimate aspirations of their people and must work to provide their people with the tools and opportunities to improve their lives;

CONVINCED that, for national development policies to achieve these objectives, both developed and developing nations alike must fulfill their international commitments;

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

REAFFIRMING that, as the premier multilateral forum of the Hemisphere, the OAS has a unique role in strengthening democratic institutions and consolidating representative democracy, with due respect for the principle of nonintervention;

RECOGNIZING that in the Declaration on Security in the Americas we reaffirmed that representative democracy is an indispensable condition for the stability, peace, and development of the states of the Hemisphere and that our cooperation in addressing traditional threats and new threats, concerns, and other challenges to security is also based on shared values and common approaches, including full respect for democracy, international law, human rights, and fundamental freedoms;

COGNIZANT of the hemispheric and global efforts to address the threat posed by terrorism, drug trafficking, and other transnational activities that threaten our democratic way of life and our freedom to live and prosper in peace;

COGNIZANT ALSO of the commitment made to active solidarity in the fight against poverty, illiteracy, low levels of human development, social and political instability, environmental degradation, and the spread of lethal infectious diseases;

RECALLING that the commitments made in the United Nations Millennium Declaration have become hemispherically and globally accepted benchmarks of broader progress, embraced by donors, developing countries, civil society, and major development institutions alike;

RECOGNIZING that the Declaration of Margarita on poverty, equity, and social inclusion affirms our determination and commitment to urgently combat the serious problems of poverty, social exclusion, and inequity, which affect, in varying degrees, the countries of the Hemisphere; and to face the causes that generate them and their consequences and create favorable conditions for socioeconomic development with equity to promote more just societies;

RECOGNIZING ALSO that in the Strategic Plan of the Inter-American Council for Integral Development the member states establish a partnership for development that entails the implementation of cooperation programs based on partnerships that support measures to combat poverty and include civil society and the private sector towards this end; and

RECOGNIZING FURTHER the need to work together to better deliver the benefits of democracy to the citizens of the Hemisphere and, to that end,

DECLARE THAT:

1. The Organization of American States should continue building on the ideals and commitments of the OAS Charter and the Inter-American Democratic Charter, working together to advance shared political and economic values to make this a Hemisphere of democratic, stable, and prosperous nations.

2. The Secretary General shall be entrusted with presenting to the Permanent Council, in the near future, a report for its consideration and analysis that describes the manner in which the Inter-American Democratic Charter has been implemented since its entry into force in 2001.

3. The Secretary General shall be instructed, after engaging in consultations with the Permanent Council, and taking into account the purposes and principles of the OAS Charter, in particular that of promoting and consolidating representative democracy, to devise proposals for timely, effective, balanced, and gradual initiatives for cooperation, as appropriate, in addressing situations that might affect the workings of the political process of democratic institutions or the legitimate exercise of power, in keeping with the provisions of Chapter IV of the Inter-American Democratic Charter, with respect for the principle of nonintervention and the right to self-determination, and to present those proposals to the Permanent Council.

4. It is reaffirmed that the Secretary General may bring to the attention of the Permanent Council, in the exercise of the authority conferred on him by the OAS Charter and pursuant to the Inter-American Democratic Charter, those situations likely to lead to action under the said Charters.

5. The Permanent Council is instructed, for the purpose of facilitating regional cooperation to strengthen representative democracy and good governance, to consider, in cooperation with governments, in an ongoing manner, initiatives to support these areas, in accordance with the provisions of the Inter-American Democratic Charter and with the circumstances surrounding democratic processes in the region, taking into consideration the Secretary General's report and proposals, the efforts of other regional and subregional organizations, and the contributions of civil society in the context of Article 26 of the Inter-American Democratic Charter and resolution AG/RES. 1991 (XXXIV-O/04), "Increasing and Strengthening Civil Society Participation in OAS Activities."

6. Encouragement is given to the Working Group to Negotiate the Social Charter of the Americas and a Plan of Action, so that its work may serve effectively to strengthen existing OAS instruments on democracy, integral development, and the fight against poverty.

7. The relevant OAS entities shall facilitate the creation of cooperative hemispheric networks, taking into account the Declaration on Security in the Americas, to combat transnational organized crime, criminal gangs, drug trafficking, corruption, trafficking in persons, and other criminal activities that threaten citizens and democratic societies.

8. The Inter-American Council for Integral Development (CIDI), in cooperation with the relevant cooperative hemispheric networks, shall formulate strategies to combat poverty, illiteracy, low levels of human development, social problems, and environmental degradation.

9. CIDI shall convoke a special meeting of that body in the second half of 2005 to adopt a Strategic Plan for Partnership for Development 2006-2009, as envisaged in Article 95 of the OAS Charter, taking into account the interdependent relationship of democracy and social and economic development.

10. During the second half of 2005, pursuant to the commitment acquired under the Declaration of Margarita, a joint meeting of the Permanent Council and the Permanent Executive Committee of CIDI (CEPCIDI) shall be convened to contribute to the monitoring, evaluation, and oversight of the eight development goals set in the United Nations Millennium Declaration for 2015.

AG/DEC. 42 (XXXV-O/05)

DECLARATION OF THE GENERAL ASSEMBLY ON THE SITUATION IN BOLIVIA

(Adopted at the fourth plenary session, held on June 7, 2005)

The General Assembly of the Organization of American States has taken cognizance of the situation created in the Republic of Bolivia by President Carlos Mesa's resignation. After hearing a report by Minister of Foreign Affairs Juan Ignacio Siles and bearing in mind the provisions of the OAS Charter and the Inter-American Democratic Charter, the General Assembly declares that it:

1. Recognizes the efforts made by President Carlos Mesa to move forward in this process on the basis of consensus, and the generosity he is demonstrating in vacating his post to enable the country to advance toward a peaceful solution.
2. Regrets the exacerbation of the political crisis in Bolivia, which has resulted in President Mesa's tendering his resignation to the Congress of the Republic.
3. Recognizes the role that relevant social institutions, like the Catholic Church, have played and can continue to play in the peaceful development of the crisis.
4. Expresses that the resignation of the President of Bolivia must be considered in terms of the statutory channels established in the country's Constitution.
5. Calls upon the actors in the Bolivian political process to surmount the present crisis promptly, through dialogue, in a peaceful fashion, and with respect for human rights, in accordance with applicable constitutional provisions, preserving democracy and guaranteeing the unity of Bolivia.
6. Expresses the readiness of the Organization of American States to provide all cooperation that may be requested by the legitimate Bolivian authorities, to facilitate dialogue as a means of surmounting the crisis and guaranteeing the preservation of democratic institutions.

AG/DEC. 43 (XXXV-O/05)

SUPPORT FOR NICARAGUA

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

CONSIDERING the critical developments in the situation in Nicaragua, which pose a grave threat to the separation of powers and independence of the branches of government, an essential element of representative democracy, according to Article 3 of the Inter-American Democratic Charter;

MINDFUL of the commitment to keep constant track of the stability of the democratic system of its member states within the framework of the Charter of the Organization of American States and of the Inter-American Democratic Charter;

BEARING IN MIND the Declaration of Managua for the Promotion of Democracy and Development, which expresses the conviction of member states that the OAS mission calls for ongoing and creative work to consolidate democracy, as well as a continuing effort to prevent and anticipate the very causes of the problems that affect the democratic system of government;

BEARING IN MIND ALSO that Article 18 of the Inter-American Democratic Charter establishes that when situations arise in a member state that may affect the development of its democratic political institutional process or the legitimate exercise of power, the Secretary General or the Permanent Council of the OAS may, with prior consent of the government concerned, arrange for visits or other actions in that country; and

HAVING SEEN the request presented by the Government of the Republic of Nicaragua regarding the deployment of a mission from the Organization to that country,

DECLARES:

1. Its concern regarding the situation that gravely affects the democratic system in Nicaragua.
2. Its intention to place at Nicaragua's disposal the experience of the OAS and such assistance as Nicaragua may request, with a view to strengthening the democratic institutional framework.
3. The need to send to Nicaragua, as soon as possible, a mission headed by the OAS Secretary General that helps to establish a broad national dialogue, with a view to finding democratic solutions to the serious problems that exist, with strict observance of the principle of the separation of powers and independence of the branches of government in the country.
4. The importance of the Permanent Council continuing its direct monitoring of developments in Nicaragua, pursuant to the Inter-American Democratic Charter.

AG/DEC. 44 (XXXV-O/05)

DECLARATION ON THE QUESTION OF THE MALVINAS ISLANDS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.

AG/DEC. 45 (XXXV-O/05)

COORDINATION OF VOLUNTEERS IN THE HEMISPHERE IN RESPONSE
TO NATURAL DISASTERS AND THE FIGHT AGAINST HUNGER
AND POVERTY – WHITE HELMETS INITIATIVE

(Adopted at the fourth plenary session, held on June 7, 2005)

The Ministers of Foreign Affairs and Heads of Delegation of the member states of the Organization of American States (OAS), meeting in Fort Lauderdale, Florida, United States of America, on the occasion of the thirty-fifth regular session of the OAS General Assembly,

RECOGNIZING the importance that the international community has attached to the development of effective national, regional, and international mechanisms to prepare for and respond to natural disasters, and the need for appropriate coordination that will allow timely and needs-driven responses to a disaster, whatever its magnitude;

RECALLING that the Heads of State and Government of the Hemisphere, meeting on the occasion of the First Summit of the Americas, in Miami in December 1994, stated in their Plan of Action 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;

AFFIRMING that developments in this field may positively contribute to the achievement of the objectives set 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); the Special Summit of the Americas, which took place on January 12 and 13, 2004 (Declaration of Nuevo León); and 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 that the development of this initiative may contribute towards efforts to alleviate critical situations of hunger and poverty in the Hemisphere, wherever they may occur, and to assist populations afflicted by natural disasters or disasters of human origin, *inter alia*, the poor, by promoting an effective and appropriate transition from emergency aid to rehabilitation, reconstruction, and development;

TAKING INTO ACCOUNT resolutions AG/RES. 1351 (XXV-O/95), AG/RES. 1403 (XXVI-O/96), AG/RES. 1463 (XXVII-O/97), and AG/RES. 2018 (XXXIV-O/04);

RECALLING United Nations General Assembly resolution 46/182, “Strengthening of the coordination of humanitarian emergency assistance of the United Nations,” including the guiding principles contained in its annex;

UNDERSCORING that the OAS/IDB/WH Program has been extended until 2006, and that the Special White Helmets Fund is in a position to receive voluntary contributions from member states, permanent observers, the international community, and multilateral organizations, as well as from private and individual sources that show interest in the White Helmets Initiative and its activities, particularly those conducted in developing countries;

UNDERSCORING ALSO that the aforesaid program for 2005 provides for the execution of humanitarian assistance projects in Latin America and the Caribbean within the framework of the Third Call and for the organization of technical assistance workshops for the establishment of national volunteer corps and their coordination in the Hemisphere; and

CONCERNED about the number and scale of natural disasters and disasters of human origin and their increasing impact within recent years in the Hemisphere, which have repeatedly overstretched national capacities and tested existing regional and international coordination mechanisms, as happened recently with the tragic floods and hurricanes in the Caribbean countries and in Central and North America and with the Indian Ocean tsunami, which revealed how important it is to address the vulnerability of communities to natural disasters and to strengthen national and regional capabilities to cope with disaster risks,

DECLARE:

Their renewed support for the White Helmets Initiative, which is a valuable hemispheric and United Nations mechanism providing human and technical resources to respond to social development, emergency, and rehabilitation situations in the region.

That, to that end, they agree to promote their cooperation, to share the experience acquired in crisis situations, and to seek the greatest possible efficiency in the development of emergency response mechanisms.

That they welcome the decision taken by the Governments of Honduras, Paraguay, Peru, and Uruguay, which have designated their respective focal points for the White Helmets Initiative.

That they recognize the progress made in the Regional Seminars for the Promotion and Dissemination of Volunteers for Humanitarian Assistance in Latin America and the Caribbean - White Helmets Initiative, which were held in Montevideo in September 2004 and in Panama City in December 2004, with support from the Inter-American Development Bank and the Executive Secretariat for Integral Development of the OAS.

That they note with interest the points of consensus reached among the participants in the framework of the Seminars, including the importance of coordinating a network of volunteers based on solidarity in the region that can work with national, regional, and international organizations once national focal points have been established, as appropriate, and the concern that each country should identify its national, governmental, and nongovernmental capabilities, programs, and experiences for the fight against hunger and poverty and the handling of emergencies, including the participation of volunteer corps.

AG/RES. 2061 (XXXV-O/05)

PLACE AND DATE OF THE THIRTY-SIXTH REGULAR SESSION
OF THE GENERAL ASSEMBLY

(Adopted at the second plenary session, held on June 6, 2005)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT Articles 43 and 44 of the Rules of Procedure of the General Assembly, relating to the holding of regular sessions of the General Assembly and the establishment of sites for those sessions; and

CONSIDERING:

That, in resolution AG/RES. 939 (XVIII-O/88), it recommended that the first Monday in June of each year be set as the opening date for its regular sessions; and

That the Government of the Dominican Republic has offered to host the thirty-sixth regular session of the General Assembly in the year 2006, stating that it decided to make that offer as a reaffirmation of its commitment to the purposes and principles of the Charter of the Organization of American States and as evidence of its decision to continue to participate actively in current efforts to modernize the Organization,

RESOLVES:

1. To accept with gratitude the generous offer of the Government of the Dominican Republic to host the thirty-sixth regular session of the General Assembly.
2. To determine that the thirty-sixth regular session of the General Assembly will start on the first Monday in June in the year 2006 in the Dominican Republic, in a location to be decided in due course.

AG/RES. 2062 (XXXV-O/05)

TRIBUTE TO ASSISTANT SECRETARY GENERAL
LUIGI R. EINAUDI

(Adopted at the third plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECOGNIZING:

That Ambassador Luigi R. Einaudi has served with utmost distinction as Assistant Secretary General of the Organization of American States since his assumption of office on July 12, 2000;

That Ambassador Einaudi provided outstanding and distinguished service to the OAS and its member states during his stewardship as Acting Secretary General from October 15, 2004, to May 26, 2005; and

That Assistant Secretary General Einaudi will leave office on July 11, 2005, upon completion of the term for which he was elected by the General Assembly on June 6, 2000;

CONSIDERING the steadfast commitment of Ambassador Einaudi to the principles of the OAS Charter and the Inter-American Democratic Charter, his selfless devotion to the protection and promotion of human rights and fundamental freedoms in the Americas, and his unwavering dedication to the tenets of preventive diplomacy and to the resolution of conflicts in the Americas; and

UNDERSCORING the significant political and diplomatic contributions by Ambassador Einaudi in addressing the varied challenges faced by the Hemisphere,

RESOLVES:

1. To express profound appreciation to Assistant Secretary General Luigi R. Einaudi for his long and meritorious service to the Organization of American States and to its member states.

2. To salute the many contributions of Ambassador Einaudi to strengthening the General Secretariat and the Organization and to enhancing their potential for responding effectively to the needs of the member states.

3. To recognize the unique combination of intellectual and academic discipline and deep-rooted belief in the creative potential of the region that have been hallmarks of his tenure.

4. To acknowledge its debt of gratitude to Luigi R. Einaudi and to wish him every success in his future endeavors.

AG/RES. 2063 (XXXV-O/05)

FREE TRADE AND INVESTMENT IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

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), AG/RES. 1914 (XXXIII-O/03) and AG/RES. 1976 (XXXIV-O/04); and

CONSIDERING the Report of the Permanent Council on Free Trade and Investment in the Hemisphere (CP/doc.4014/05),

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. 1976 (XXXIV-O/04).
2. To request the Permanent Council to report to the General Assembly at its thirty-sixth regular session on developments in this regard.

AG/RES. 2064 (XXXV-O/05)

THE ROLE OF THE LEGISLATIVE BRANCH IN
COMBATING CORRUPTION AND IMPUNITY IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT the importance of the Inter-American Convention against Corruption and its ratification by 33 OAS member states, 29 of which are participating in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC);

EMPHASIZING that the United Nations Convention against Corruption (Mérida Convention) has been signed by numerous states of the Hemisphere and is being ratified by a growing number of countries of the Americas and the rest of the world, which will allow its entry into force;

WELCOMING the work done since its inception by the Committee of Experts of the MESICIC, especially with regard to the adoption of country reports in the context of the first round of review to follow up on the recommendations that they contain;

RECALLING that the legislative branch in the majority of member states has among its functions the adoption of international treaties and conventions, and also performs, *inter alia*, legislative and oversight functions;

RECOGNIZING the important role of the legislative branch in ensuring, within states, full compliance with their international commitments regarding the fight against corruption and impunity;

REAFFIRMING that the fight against corruption is a commitment by all member states to strengthening their respective democratic institutions; and

UNDERSCORING the valuable efforts in the international sphere of global and regional organizations of Latin American and Caribbean legislators working to combat corruption, the purpose of which is to promote parliamentary, political, and legislative action against all forms of corruption, as an important means of safeguarding institutional stability and the ethical values of democratic society,

RESOLVES:

1. To underscore that it is important for the legislative branch of the states parties to the Inter-American Convention against Corruption, when carrying out its legislative and, as appropriate, oversight functions, to continue to move forward in:

- a. Implementation of the commitments under the Inter-American Convention against Corruption; and

- b. Consideration and adoption of the necessary measures to expedite the entry into force and ensure the effective implementation of the United Nations Convention against Corruption (Mérida Convention), in order to help bring about more effective reciprocal cooperation and assistance in the fight against corruption and impunity.

2. To encourage the legislatures of the states parties to the Inter-American Convention against Corruption that participate in its follow-up mechanism to strengthen cooperation with one another, to redouble their efforts geared toward full implementation of the recommendations made in the context of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), in particular those recommendations requiring legislative action, and to exchange information periodically on the activities carried out in support of the Convention, in keeping with their legislative and oversight functions.

3. To urge the states parties to the Inter-American Convention against Corruption that participate in the MESICIC to publicize in their legislatures the purposes and activities of the Follow-up Mechanism, taking into account its importance in the fight against corruption in the Hemisphere.

AG/RES. 2065 (XXXV-O/05)

SEVENTH INTER-AMERICAN SPECIALIZED CONFERENCE ON
PRIVATE INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly as it pertains to the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII) (AG/doc.4376/05 add. 3); and

CONSIDERING:

That through resolution AG/RES. 1923 (XXXIII-O/03) the General Assembly convened the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), to be held at a date and place set by the Permanent Council, and instructed this organ to approve its agenda;

That through resolution AG/RES. 2033 (XXXIV-O/04) the General Assembly urged the Permanent Council to continue its analysis of the topics proposed for CIDIP-VII and urged member states that had not done so to present their proposals and observations concerning its agenda;

That various states presented their proposals for topics and the corresponding support documentation for inclusion on the agenda and that these were analyzed by the member states in the Permanent Council's Committee on Juridical and Political Affairs; and

That likewise Uruguay presented the document "Bases for an Inter-American Convention on International Jurisdiction" (CP/CAJP-2094/03 add. 6-b), for future study and consultations,

RESOLVES:

1. To take note of the report of the Permanent Council concerning the Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII), which, in preparation for the Conference, sets the following agenda:

- a. Consumer Protection: Applicable Law, Jurisdiction, and Monetary Redress (Conventions and Model Laws)
- b. Secured Transactions: Electronic Registries Implementation of the Model Inter-American Law on Secured Transactions.

2. To instruct the Permanent Council to establish a methodology for the preparatory work necessary to draft the Inter-American instruments to be considered by CIDIP-VII.

3. To instruct the Permanent Council to set a date and place for CIDIP-VII.

4. To request the Inter-American Juridical Committee to present its comments and observations on the topics for the final agenda of CIDIP-VII.

5. To instruct the Permanent Council that when, through its Committee on Juridical and Political Affairs, it studies future topics for upcoming Inter-American Specialized Conferences on Private International Law, it consider, among others, the topic of an Inter-American Convention on International Jurisdiction.

6. To instruct 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-sixth regular session.

AG/RES. 2066 (XXXV-O/05)

DISSEMINATION OF INFORMATION ON THE INTER-AMERICAN SYSTEM FOR
THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN EDUCATIONAL
INSTITUTIONS IN THE COUNTRIES OF THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING that the Charter of the Organization of American States establishes that “[t]he Member States will give primary importance within their development plans to the encouragement of education, science, technology, and culture, oriented toward the overall improvement of the individual, and as a foundation for democracy, social justice, and progress”;

BEARING IN MIND that the Inter-American Democratic Charter reaffirmed that the promotion and protection of human rights is a basic prerequisite for the existence of a democratic society; considered that education is an effective way to promote citizens’ awareness concerning their own countries and thereby achieve meaningful participation in the decision-making process; and restated the importance of human resource development for a sound democratic system;

RECALLING that the Heads of State and Government, at the Special Summit of the Americas, adopted the Declaration of Nuevo León, in which, *inter alia*, they reaffirmed the hemispheric commitment to democracy, to strengthening the rule of law, and to the defense of human rights and fundamental freedoms;

RECALLING ALSO operative paragraph 4 of resolution XXVII, adopted by the Tenth Inter-American Conference, held in Caracas in 1954, in which the Conference requested “the American governments to take appropriate steps to foster the teaching in their schools and universities of the subject of fundamental human rights and duties and their significance, in accordance with the American and universal declarations”;

TAKING INTO ACCOUNT resolution AG/RES. 2030 (XXXIV-O/04), “Strengthening of Human Rights Systems pursuant to the Plan of Action of the Third Summit of the Americas,” in which the General Assembly reaffirmed the commitment of the member states to continue strengthening and improving the inter-American system for the promotion and protection of human rights through concrete actions;

CONSIDERING that the OAS and its member states should promote the inter-American human rights system, *inter alia*, by disseminating information on the work of the organs of the inter-American human rights system and cooperating in the preparation of teaching and research programs in the area of human rights;

BEARING IN MIND that it is the responsibility of member states to adopt appropriate legislative, judicial, administrative, and other types of measures to promote an awareness and understanding by all persons under their jurisdiction of their civil, political, economic, social, and

cultural rights by publishing and making widely available national laws and regulations and basic international instruments on human rights, as well as to foster and facilitate the teaching of human rights and freedoms at all educational levels and in all educational settings; and

CONSIDERING that every constitution in the Hemisphere guarantees the protection of human rights,

RESOLVES:

1. To acknowledge the progress being made by member states and the actions and policies they are implementing to disseminate in schools and universities and, where applicable, in police and military training facilities, the articles devoted to human rights in each country's constitutional texts, as well as the American Convention on Human Rights and other hemispheric instruments on the protection of human rights.

2. To take into account the II Inter-American Report on Human Rights Education, prepared by the Inter-American Institute of Human Rights; and to suggest to states that its recommendations be implemented as soon as possible.

3. To suggest to member states that they consider, if they have not already done so and in keeping with the educational or dissemination programs they are carrying out, the advisability of taking *inter alia*, for example, the following measures:

- a. Seeking methods designed to make students aware of the human rights rules and regulations in force in each state, and encouraging their across-the-board inclusion in the academic curricula of educational institutions;
- b. Seeking teaching methods that will enable students to become familiar with human rights, to respect and promote them, and to relate them to their day-to-day lives, so as to foster behaviors necessary to ensure, *inter alia*, peaceful coexistence, democratic participation, diversity, and pluralism;
- c. Preparing teaching materials for human rights education;
- d. Providing ongoing training in human rights education to teachers at all levels;
- e. Organizing discussion groups on implementation of the system for promoting and protecting human rights;
- f. Holding periodic contests on awareness and application of norms for the protection of human rights;
- g. Encouraging student and teacher participation in discussion and research on progress and developments in the inter-American system for the promotion and protection of human rights in their respective countries; and

- h. Encouraging the teaching and dissemination of human rights through the media.

4. To underscore the importance of the Inter-American Program on Education for Democratic Values and Practices, which will help foster greater horizontal cooperation, provide data, and promote the development and consolidation of teaching methods in education for the preservation and strengthening of democracy, human rights, and peace.

5. To propose to the ministers of education, scheduled to meet in Trinidad and Tobago in August 2005, that they include on the agenda for the Fourth Meeting of Ministers of Education consideration of concrete actions and programs for disseminating information on the inter-American system for the promotion and protection of human rights in the educational institutions of member states, in coordination, *inter alia*, with the Inter-American Institute of Human Rights.

AG/RES. 2067 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05 add. 3) as it pertains to this topic, and resolution 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";

RECALLING 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;

CONCERNED that situations persist in the Americas that directly or indirectly prevent or hamper the work of individuals, groups, or organizations working to promote and protect human rights and fundamental freedoms;

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 its decisions granting provisional measures, the Inter-American Court of Human Rights has 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 work of human rights defenders has a decisive impact on the consolidation of democratic institutions and the enhancement of 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 recognize that, in view of their specific role and needs, women human rights defenders should be accorded special attention to ensure that they are fully protected and effective in carrying out their important activities.

3. To condemn actions that directly or indirectly prevent or hamper the work of human rights defenders in the Americas.

4. 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.

5. 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.

6. To invite the Inter-American Commission on Human Rights to conclude as soon as possible its comprehensive report on the situation of human rights defenders in the Americas, in keeping with resolution AG/RES. 1842 (XXXII-O/02).

7. To request the Inter-American Commission on Human Rights to:

- a. Continue to give due consideration to this matter;
- b. Continue to intensify 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 its Unit for Human Rights Defenders.

8. 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.

9. 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 Inter-American Commission on Human Rights.

10. 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.

11. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2068 (XXXV-O/05)

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

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05 add. 3), in particular as it pertains to the implementation of resolution AG/RES. 2040 (XXXIV-O/04), "Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas" (REMJA);

RECALLING that, in the Plan of Action of the Third Summit of the Americas, held in Quebec City, Canada, in April 2001, the Heads of State and Government decided to continue to support the work done in the context of the REMJAs and the implementation of their conclusions and recommendations;

RECALLING ALSO that in the Declaration of Nuevo León, adopted at the Special Summit of the Americas, held in Monterrey, Mexico, in January 2004, the Heads of State and Government urged all countries "to participate actively in the Network on Mutual Legal Assistance in Criminal Matters," which constitutes one of the concrete outcomes of the REMJAs;

BEARING IN MIND that in the Declaration on Security in the Americas, adopted in Mexico City in October 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";

ACKNOWLEDGING the establishment of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará" (MESECVI); and

TAKING INTO ACCOUNT that REMJA-V recommended "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,"

RESOLVES:

1. To instruct the Permanent Council to follow up, in a manner it deems appropriate, on the technical meetings held pursuant to the conclusions and recommendations of the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas" and resolution AG/RES. 2040 (XXXIV-O/04), in particular the following, and on their results:

- The First Meeting of Central Authorities and Other Experts on Mutual Legal Assistance in Criminal Matters and Extradition, held in Ottawa, Canada, in April and May 2003;
- The Third Meeting of the Group of Governmental Experts on Cyber-Crime, held in June 2003 at OAS headquarters, in Washington, D.C.;
- The First Meeting of the Group of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States, held in October 2003 at OAS headquarters, in Washington, D.C.;
- The Meeting of Government Experts to Consider the Advisability of Developing a Hemispheric Plan of Action against Transnational Organized Crime, held in April 2005 at OAS headquarters, in Washington, D.C.;
- The Meeting of Experts on Cooperation with respect to the Denial of Safe Haven to Corrupt Officials and Those Who Corrupt Them, Their Extradition, and the Denial of Entry and Recovery of the Proceeds of Corruption and Their Return to Their Legitimate Owners, in fulfillment of the Plan of Action of Managua on Additional Concrete Measures to Increase Transparency and Combat Corruption within the Framework of the Inter-American Convention against Corruption (EPCICOR/doc.04/04 rev. 5, corr. 1, paragraph 9) and resolutions AG/RES. 2034 (XXXIV-O/04), operative paragraph 6.c, and CP/RES. 875 (1460/05), held on March 28 and 29, 2005, at OAS headquarters, in Washington, D.C.

2. To request the Permanent Council to convene, in accordance with the “Conclusions and Recommendations of REMJA-V” and resolutions AG/RES. 2019 (XXXIV-O/04), AG/RES. 2026 (XXXIV-O/04), and AG/RES. 2040 (XXXIV-O/04), prior to the holding of REMJA-VI, the following technical meetings, taking into account the progress made during the preparatory process for said meetings:

- The Second Meeting of Central Authorities and Other Experts on Mutual Legal Assistance in Criminal Matters and Extradition, to be held in Brasilia from September 1 to 3, 2005;
- The Fourth Meeting of the Group of Governmental Experts on Cyber-Crime, taking into account the conclusions of the subregional workshops held since the last meeting of the Group, which took place in June 2003 at OAS headquarters, in Washington, D.C.;
- The Second Meeting of the Group of Officials Responsible for the Penitentiary and Prison Policies of the OAS Member States;
- The Meeting of National Authorities on Trafficking in Persons, especially Women and Children, pursuant to resolutions AG/RES. 2019 (XXXIV-O/04), AG/RES. 2026 (XXXIV-O/04), and AG/RES. 2040 (XXXIV-O/04).

3. To urge member states to participate actively in the REMJA Working Group on Mutual Legal Assistance in Criminal Matters and Extradition and to consider participating in the Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters and Extradition. Likewise, to request said Working Group to continue informing the Permanent Council on its work; and to instruct the Office of Inter-American Law and Programs to continue providing its support.

4. To convene the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI), to be held in 2006 within the resources allocated in the program-budget of the Organization and other resources; and to instruct the Permanent Council, with technical support from the Office of Inter-American Law and Programs of the General Secretariat, to carry out the preparatory work and set the date and place for the meeting.

5. To instruct the Permanent Council to present a report on the implementation of this resolution to the General Assembly at its thirty-sixth regular session.

AG/RES. 2069 (XXXV-O/05)

OBSERVATIONS AND RECOMMENDATIONS ON THE
ANNUAL REPORT OF THE INTER-AMERICAN JURIDICAL COMMITTEE

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4473/05);

TAKING INTO ACCOUNT the mandates contained in resolution AG/RES. 2042 (XXXIV-O/04), "Observations and Recommendations on the Annual Report of the Inter-American Juridical Committee"; and

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 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 of the Organization on the Annual Report of the Inter-American Juridical Committee; and to forward them to the Juridical Committee.

2. To take note of the progress made by the Inter-American Juridical Committee in its study of the topic "Legal aspects of compliance within the States with decisions of international courts or tribunals or other international organs with jurisdictional functions"; and to request that its next annual report, for 2005, include a final study on the topic.

3. 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 and use as a basis, without excluding other international instruments, the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, in October 2003, in

particular with regard to the multidimensional approach to security, and, in that event, to keep the Permanent Council informed of its decision.

4. To note with satisfaction the inclusion on its agenda of the topic “Joint efforts of the Americas in the struggle against corruption and impunity”; and to request it to include a report thereon, based on the guidelines set forth in resolution AG/RES. 2022 (XXXIV-O/04), in its next annual report.

5. To note with satisfaction the inclusion on its agenda of the topic “Legal aspects of the interdependence between democracy and economic and social development”; and to request it to include a section thereon, based on the OAS Charter and the guidelines set forth in resolution AG/RES. 2042 (XXXIV-O/04), in its next annual report.

6. To request the Inter-American Juridical Committee to continue its review of the situation of private international law in the Americas and to collaborate in preparations for the next Inter-American Specialized Conference on Private International Law (CIDIP-VII).

7. To take note of the importance of the topic “Right to Information: Access to and protection of information and personal data”; and to request it to include an updated report on the protection of personal data, based on comparative law, in its next annual report.

8. To encourage initiatives that the Inter-American Juridical Committee may adopt to conduct studies with other organs of the inter-American system, in particular with the Justice Studies Center of the Americas (JSCA), on various matters geared toward strengthening the administration of justice and judicial ethics.

9. To request the Inter-American Juridical Committee to continue preparing for the commemoration of its centennial, to be held in 2006; and to request the Permanent Council to hold a meeting in the first half of 2006 as part of the commemorative events.

10. 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 OAS Office of Inter-American Law and Programs; to highlight the importance of increasing the amount of OAS fellowship awards; and to urge member states to consider the possibility of paying directly for the participation of students and professors from their own countries.

11. To recognize the Inter-American Juridical Committee and the Office of Inter-American Law and Programs 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.

12. 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, taking into account the possibility, in special cases, of inviting the Committee’s rapporteurs to participate in meetings held at the Organization’s headquarters on topics within their respective areas; and to

recommend to the Committee that it continue to focus on matters that the competent organs point out to it and that are of priority interest to the Organization.

13. 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 the resources allocated in the program-budget of the Organization and other resources.

AG/RES. 2070 (XXXV-O/05)

INTER-AMERICAN PROGRAM FOR THE DEVELOPMENT OF INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05), in particular as it pertains to the implementation of resolution AG/RES. 2032 (XXXIV-O/04), "Inter-American Program for the Development of International Law";

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)];

CONSIDERING ALSO that the General Assembly has been reaffirming its support for said Program, through 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), AG/RES. 1845 (XXXII-O/02), AG/RES. 1921 (XXXIII-O/03), and AG/RES. 2032 (XXXIV-O/04); and

TAKING NOTE of the Report on the Inter-American Program for the Development of International Law - Activities of the Office of Inter-American Law and Programs (June 2004 - February 2005) (CP/CAJP-2235/05),

RESOLVES:

1. To reaffirm the importance of the Inter-American Program for the Development of International Law; to reiterate its support for it; and to request the Office of Inter-American Law and Programs of the General Secretariat to continue carrying out the activities enumerated in the Program.

2. To urge the General Secretariat to continue, through the Office of Inter-American Law and Programs, conducting the Workshops on International Law and the Course on International Law in Rio de Janeiro and to provide support for activities designed to increase awareness of the inter-American system in law schools, diplomatic academies, and other centers for specialized study, as well as for activities involving the dissemination of legal information through its publications and electronic media, including the sale of its publications in all the official languages of the Organization.

3. To request the Permanent Council to follow up on the implementation of this resolution and, in particular, to convene a meeting of the Committee on Juridical and Political Affairs to share experiences on how international law is addressed in diplomatic academies and other training centers for public officials, in accordance with the resources allocated in the program-budget of the Organization and other resources, and to report thereon to the General Assembly at its thirty-sixth regular session.

AG/RES. 2071 (XXXV-O/05)

2006: INTER-AMERICAN YEAR OF THE FIGHT AGAINST CORRUPTION

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Declaration of Managua, adopted at the Meeting of States Parties to the Inter-American Convention against Corruption, held in July 2004 in Managua, Nicaragua, recommended to the OAS General Assembly that it declare 2006 as the “Inter-American Year of the Fight against Corruption”; and

The Declaration of Quito on Social Development and Democracy, and the Impact of Corruption, adopted by this General Assembly at its thirty-fourth regular session, held in Quito, Ecuador, from June 6 to 8, 2004;

RECALLING:

The resolutions adopted by this General Assembly on the follow-up to the Inter-American Convention against Corruption and the Inter-American Program for Cooperation in the Fight against Corruption; and

The decision adopted by the United Nations General Assembly, in its resolution 58/4, to designate December 9 as International Anti-Corruption Day; and

CONSIDERING:

That transparency in government activities, probity, and responsible public administration on the part of governments are essential components of the exercise of democracy, as established in the Inter-American Democratic Charter, and that good governance is a key factor in the fight against corruption; and

That it is incumbent on the OAS member states and all sectors of national society to continue to conduct an ongoing, collective fight against corruption in all its forms and manifestations and to publicize these efforts as widely as possible,

RESOLVES:

1. To declare 2006 as the “Inter-American Year of the Fight against Corruption.”
2. To invite member states to disseminate this declaration, as well as the Inter-American Convention against Corruption and the Follow-up Mechanism for the Implementation of the Inter-

American Convention against Corruption (MESICIC), both to the public sector and to civil society, including universities, academic centers, and private-sector institutions.

3. To urge those OAS member states 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 MESICIC.

4. To recommend to member states that, to mark the declaration of 2006 as the Inter-American Year of the Fight against Corruption, they consider, *inter alia*, the following activities:

- a. Publicizing, by means of events such as conferences and seminars, the initiatives and actions taken in the fight against corruption, including progress made and lessons learned, as well as the problems and issues posed by corruption, including its harmful effects on social, political, and economic development;
- b. Inviting the spoken, television, and print media to develop programs, publications, and activities in observance of the Inter-American Year of the Fight against Corruption;
- c. In the framework of their educational programs, incorporating into their primary and secondary school curricula the promotion of transparency and ethics as essential virtues of life in society, and fostering respect for and observance of the values that motivate the fight against corruption; and
- d. Inviting teaching institutions, especially universities, to undertake activities that address the corruption issue so as to foster integrity, transparency, and responsibility in both public and private spheres.

5. To suggest to member states that, in observance of Inter-American Year of the Fight against Corruption, as well as of United Nations International Anti-Corruption Day (December 9), they consider issuing postage stamps bearing the United Nations slogan “With corruption, everyone pays.”

6. To request the General Secretariat to organize, on its website, a public contest, open to nationals of the member states, to select an official logo for the Inter-American Year of the Fight against Corruption. Said logo could be used by states and institutions during activities marking the year’s observance.

7. To urge the General Secretariat, with a view to supporting the governments and associated bodies in their respective activities and initiatives to promote the Inter-American Year of the Fight against Corruption, to continue providing, in the form of brochures, publications, and the OAS website, related materials on the essential aspects of the Inter-American Convention against Corruption and the MESICIC, in the four official languages of the Organization.

8. To request the General Secretariat to seek assistance and cooperation from the Secretariat and appropriate agencies of the United Nations in pursuing the education and awareness goals of the celebration.

9. To request the OAS General Secretariat to transmit this resolution to the United Nations Secretary-General.

10. For the benefit of all member states and of the Organization itself, to invite governments to report, in the context of the Permanent Council, on their activities and initiatives in connection with the celebration of the Inter-American Year of the Fight against Corruption.

11. To invite OAS organs, agencies, and entities, as well as other organs of the inter-American system, to support the activities in observance of 2006 as the Inter-American Year in the Fight against Corruption and to initiate other activities related to that observance, within their areas of competence.

12. To instruct 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-seventh regular session.

AG/RES. 2072 (XXXV-O/05)

PROMOTION OF THE INTERNATIONAL CRIMINAL COURT^{1/}

(Adopted at the fourth plenary session, held on June 7, 2005)

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), AG/RES. 1929 (XXXIII-O/03), and AG/RES. 2039 (XXXIV-O/04);

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 the prosecution of 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;

DISMAYED by the persistent violations of international humanitarian law and international human rights law;

AFFIRMING that all 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;

CONVINCED of the importance of preserving the effectiveness and legal integrity of the Rome Statute and the jurisdiction of the International Criminal Court, and recognizing the firm resolve of the states parties to preserve them;

CONVINCED ALSO of the importance of the Vienna Convention on the Law of Treaties for preserving the effectiveness and legal integrity of the Rome Statute;

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 the 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;

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1. Reservation by 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. The United States will continue to be a forceful advocate for the principle of accountability for war crimes, genocide and crimes against humanity, but cannot support the seriously flawed International Criminal Court. Thus, the United States has not ratified the Rome Statute and has no intention of doing so. In light of this position, the United States cannot in good faith join in the consensus on an OAS resolution that promotes the Court.

RECOGNIZING that 139 states, including 27 members of the Organization of American States, have signed the Rome Statute and that 97 have ratified or acceded to it, among them 20 members of the Organization of American States;

NOTING that only 17 countries of the Hemisphere have signed and three have ratified the Agreement on Privileges and Immunities of the International Criminal Court;

EXPRESSING ITS SATISFACTION with the holding at the Organization's headquarters on April 1, 2005, within the framework of the Committee on Juridical and Political Affairs, of the 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, at which the President of the International Criminal Court was present; and

TAKING NOTE of the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05 add. 3),

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 and of the Court's jurisdiction.

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 full and 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 such instruments of international human rights law or international humanitarian law as may be applicable to them.

5. To urge the member states of the Organization 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 full and effective implementation at the national level.

6. To request the Inter-American Juridical Committee to draw up a questionnaire, to be presented to the OAS member states, on how their laws allow for cooperation with the International Criminal Court and, on the basis of the findings of the questionnaire, to present a report to the

Permanent Council, which, in turn, will transmit it to the General Assembly at its thirty-sixth regular session.

7. To urge the member states of the Organization to cooperate among themselves and, as appropriate, with the International Criminal Court so as to avoid the impunity of the perpetrators of the most serious international crimes, such as war crimes, crimes against humanity, and genocide.

8. To request the Permanent Council to hold 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. The International Criminal Court, international organizations, and nongovernmental organizations will be invited to cooperate and to participate in this working meeting.

9. 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.

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

AG/RES. 2073 (XXXV-O/05)

AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

(Adopted at the fourth plenary session, held on June 7, 2005)

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), AG/RES. 1919 (XXXIII-O/03), and AG/RES. 2029 (XXXIV-O/04);

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 in 1999, 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, Canada, and renewed in the Declaration of Nuevo León, at the Special Summit of the Americas, in Monterrey, Mexico, in January 2004, in support of 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 a special meeting, and two meetings of negotiations in the quest for points of consensus, of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples, among representatives of the member states and representatives of the indigenous peoples, in keeping with the mandates issued in operative paragraph 4, subparagraphs (d) and (a), of resolution AG/RES. 2029 (XXXIV-O/04); 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 special meeting and the two meetings held in the final phase of negotiations in pursuit of points of consensus, in Washington, D.C., in November 2004 and February 2005, respectively,

RESOLVES:

1. To reaffirm once again that the adoption of the American Declaration on the Rights of Indigenous Peoples remains a priority for the Organization of American States, emphasizing the

importance of participation by the indigenous peoples in the process of preparing the draft Declaration.

2. To acknowledge the importance of 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 conclude 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 to:

- a. Give increased emphasis to the holding of negotiation meetings with a view to the prompt adoption of the American Declaration on the Rights of Indigenous Peoples; and
- b. Continue 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.

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; to invite them to continue supporting the objectives of the Fund with their contributions; and to invite those that have yet to contribute to the Specific Fund to consider doing so.

6. To invite the multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere also to contribute to the Specific Fund in order to provide continued support for activities involving the participation of representatives of the indigenous peoples in the process of preparation by the Working Group of the Draft American Declaration on the Rights of Indigenous Peoples, as well to fund the Group's other activities.

7. To invite the multilateral organizations, development banks, and specialized multilateral agencies of the Hemisphere to contribute, in their areas of competence, to 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.

8. To invite the governments of the member states to continue conducting domestic consultations with their indigenous peoples on the draft Declaration and to promote information exchanges among countries regarding those consultations.

9. 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.

10. 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.

11. 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-sixth regular session.

AG/RES. 2074 (XXXV-O/05)

STANDARDS FOR THE PREPARATION OF PERIODIC REPORTS PURSUANT
TO THE PROTOCOL OF SAN SALVADOR

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05 add. 3), as well as resolutions AG/RES. 2030 (XXXIV-O/04) and AG/RES. 2041 (XXXIV-O/04);

CONSIDERING the provisions of the American Convention on Human Rights, Chapter III of which refers to economic, social, and cultural rights;

UNDERSCORING the entry into force, in November 1999, of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights "Protocol of San Salvador," and its ratification by 13 member states of the Organization of American States;

RECALLING that both the American Convention and the Protocol of San Salvador recognize that the essential rights of an individual are not derived from one's being a national of a certain state, but are based upon attributes of the human person;

BEARING IN MIND that, in Article 19 of the Protocol of San Salvador, the states parties undertake to submit, pursuant to the provisions of that article and the corresponding rules to be formulated for that purpose by the OAS General Assembly, periodic reports on the progressive measures they have taken to ensure due respect for the rights set forth in said Protocol; and

RECOGNIZING that, in resolution AG/RES. 2030 (XXXIV-O/04), the Permanent Council was instructed to propose standards for the preparation of the periodic reports referred to in the preceding paragraph,

RESOLVES:

1. To adopt the Standards for the Preparation of Periodic Reports pursuant to Article 19 of the Protocol of San Salvador, which are appended to this resolution.

2. To instruct the Permanent Council to make proposals as soon as possible, through the Committee on Juridical and Political Affairs, on the composition and functioning of the Working Group established to examine the national reports, which would constitute qualitative progress in the area.

3. To request the Inter-American Commission on Human Rights to propose to the Permanent Council for possible adoption, pursuant to the Standards referred to in operative

paragraph 1 of this resolution, the progress indicators to be used for each group of protected rights on which information is to be provided, taking into account, among other things, the contributions of the Inter-American Institute of Human Rights.

4. To direct that the time periods for submission of the national progress reports that the states parties to the Protocol of San Salvador are to present begin with the Permanent Council's fulfillment of the provisions of operative paragraphs 2 and 3 of this resolution.

5. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights "Protocol of San Salvador."

6. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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.

STANDARDS FOR THE PREPARATION OF
PERIODIC REPORTS PURSUANT TO ARTICLE 19 OF THE
PROTOCOL OF SAN SALVADOR

CONTEXT OF THE PROPOSAL

The inter-American system for the protection of human rights has regarded economic, social, and cultural rights as protected human rights since the adoption of the American Declaration of the Rights and Duties of Man, which, even today, represents for several member states of the Organization of American States the regional bastion of protection for an array of rights of this nature.

The American Convention on Human Rights contains a single provision, which concerns progressive development, that establishes the obligation of states parties to adopt measures, both internally and through international cooperation, especially those of an economic and technical nature, with a view to achieving progressively the full realization of the rights implicit in the economic, social, educational, scientific, and cultural standards set forth in the Charter of the Organization of American States, as amended by the Protocol of Buenos Aires.

The Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights “Protocol of San Salvador” is a specially designed instrument for the protection of economic, social, and cultural rights and envisages international oversight through two mechanisms: the individual petition system and periodic reports.

The Protocol of San Salvador was drafted in the light of the principles of inclusion; equal access to economic, social, and cultural rights; and national growth with hopes for the future.

The aim of the initiative is to draw up guidelines and rules for the preparation of the reports contemplated in Article 19 of the Protocol of San Salvador in accordance with the system of progress indicators. Particular attention has been given to the principle of progressiveness of economic, social, and cultural rights (ESCR), understood as the adoption of public policy that recognizes ESCR as human rights, whose full realization, generally speaking, cannot be rapidly achieved and which, therefore, require a process in which each country moves at a different pace toward achieving the goal. Except as warranted in extreme cases, this principle regards regressive measures as invalid and excludes inaction.

Therefore, these standards:

- Are designed to be a useful tool for the states parties themselves to evaluate measures and strategies they adopt to ensure ESCR. In that sense, they enable conclusions to be reached with regard to the aptness of priority allocation, policy shaping, and strategy design in the reporting state, without seeking comparisons with other states.
- Are not intended to record complaints but progress.

- Include progress indicators that measure progressive advances in the adoption of policies designed to reach the desired objective. The Inter-American Commission on Human Rights (IACHR) is entrusted with proposing the aforesaid indicators, taking into account the contributions of the Inter-American Institute of Human Rights, which has experience in such matters [pursuant to resolution AG/RES. 2030 (XXXIV-O/04)].
- Avoid replication of the system provided under the International Covenant on Economic, Social and Cultural Rights.
- Respect the provisions of Article 19 of the Protocol as regards the intervention of the IACHR and the organs of the OAS.
- Adopt the principle of periodicity in the submission of reports, consistent with the system in force under all human rights treaties that use a reporting system.
- Respect the principle of progressiveness in the implementation of protected rights and in the gradual identification of areas where reporting is required.
- Include the principle of reciprocity, since the work entailed in preparing the report benefits the state in return by helping it to draw up a list of its needs and a more precise definition of its wants.
- Do not create new formal structures and seek not to create budgetary obligations for the Organization.

The following standards for the preparation of periodic reports on progressive measures adopted by the states parties to the Protocol, as provided in Article 19 of that legal instrument, are presented in accordance with resolution AG/RES. 2030 (XXXIV-O/04).

STANDARDS FOR THE PREPARATION OF PERIODIC REPORTS
PURSUANT TO ARTICLE 19 OF THE PROTOCOL OF SAN SALVADOR

1. The states parties to the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights “Protocol of San Salvador” undertake to submit periodic reports on the progressive measures they have taken to ensure due respect for the rights set forth in the Protocol.

Note: Article 19 (1) of the Protocol of San Salvador.

2. States that are parties to the Protocol on the date it enters into force shall submit the first report within one year after that date; states that ratify or accede to the Protocol thereafter shall submit the first report within one year after the Protocol enters into force for them. Thereafter, reports shall be submitted every three years.

Note: Most of the human rights treaties signed under the auspices of the United Nations provide for a periodic reporting system and prescribe a deadline for the initial report and intervals for subsequent reports. Thus, Article 17 (1) of the International Covenant on Economic, Social and Cultural Rights and Article 40 (1) (a) of the International Covenant on Civil and Political Rights provide one year for submission of the initial report; Article 9 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination provides for the submission of the initial report within one year after entry into force for the state concerned, and thereafter every two years; Article 18 (1) of the Convention on the Elimination of All Forms of Discrimination against Women provides for an initial report within one year after entry into force for the state concerned, and thereafter every four years; Article 44 (1) of the Convention on the Rights of the Child contains the obligation to submit a first report within two years after the entry into force of the treaty for the state party concerned, and thereafter every five years.

Bearing in mind the period of time governments are in power in the countries of the region (four to six years), an interval of three years would make it possible to take advantage of the terms of the executive branch and of legislatures, thus increasing the possibility of recording policy and legislative changes.

3. All reports shall be submitted to the Secretary General of the Organization of American States, who shall transmit them to the Inter-American Council for Integral Development (CIDI) for examination.

Note: Article 19 (2) of the Protocol of San Salvador. The text of the Protocol says “to the Inter-American Economic and Social Council and the Inter-American Council for Education, Science and Culture”; however, the councils mentioned in the original text of the Protocol of San Salvador have been combined to form the “Inter-American Council for Integral Development,” which was created in 1996 by an amendment to the Charter of the Organization of American States.

4. The Secretary General shall send a copy of said reports to the Inter-American Commission on Human Rights (IACHR). Furthermore, the IACHR may formulate such observations and recommendations as it deems pertinent concerning the status of the economic, social, and cultural

rights established in the Protocol of San Salvador in all or some of the states parties, which it may include in its Annual Report to the General Assembly or in a special report, whichever it considers more appropriate.

Note: Articles 19 (2) and 19 (7) of the Protocol of San Salvador.

5. The submission of reports shall be governed by the principle of progressiveness and by a system of progress indicators.

5.1. For the purposes of this document, the principle of progressiveness shall mean the notion of gradual advancement in the creation of the conditions necessary to ensure the exercise of an economic, social, or cultural right.

5.2. A system of progress indicators makes it possible to determine, with a reasonable degree of objectivity, distances between the actual situation and the standard or desired goal. Progress in the area of economic, social, and cultural rights may be measured on the premise that the Protocol of San Salvador expresses a standard against which to assess, on one hand, constitutional compatibility, legal and institutional development, and governance practices of states; and, on the other hand, realization of the aspirations of different sectors of society expressed, *inter alia*, through political parties and civil society organizations.

5.3. Reports shall cover the different rights protected in the Protocol of San Salvador under:

- a. Articles 6 (Right to Work) and 7 (Right to Just, Equitable and Satisfactory Conditions of Work); and Article 9 (Right to Social Security)
- b. Article 8 (Trade Union Rights)
- c. Article 10 (Right to Health)
- d. Article 11 (Right to a Healthy Environment)
- e. Article 12 (Right to Food)
- f. Articles 13 (Right to Education) and 14 (Right to the Benefits of Culture).

Note: The principle of progressiveness is enshrined in Article 1 of the Protocol of San Salvador and Article 2 (1) of the International Covenant on Economic, Social and Cultural Rights. The notion described in the second paragraph is intended to set out explicitly the accepted meaning of the principle in the context of international human rights law and, at the same time, move away from the more common interpretations that equate it with postponement sine die.

The system of progress indicators is the keystone of these standards since it is the basis for the approach to be adopted concerning the information that the states are required to provide. This idea is developed in greater depth in the third paragraph.

A methodology is established that, generally speaking, is common to all treaties that provide for a reporting system and addresses each of the protected rights. In this case, the rights are grouped together according to the areas in which they operate. Accordingly, the first report should describe the situation with respect to legal protection in each area of rights at the time of entry into force of the Protocol of San Salvador for all states that accepted the undertaking before that date. In this

connection, information up to January 1, 2000, would provide a “baseline” from which to measure progress. The first report should also mention any progress recorded as of the date of its submission. Later, as indicators are added in each reporting period, it would be possible to examine each of the protected rights in greater depth, and detailed overviews would emerge.

6. In all cases, information with respect to each of the protected rights should take the following into consideration: gender equity; special needs groups (children, the elderly, and persons with disabilities); ethnic and cultural diversity, in particular with respect to indigenous peoples and persons of African descent; and involvement of civil society organizations in any progress in legislative and public policy reform.

Note: The intention is that all the information furnished should bear in mind gender, special needs groups, ethnic and cultural diversity, and participation in government. In this way, the rights protected under Articles 15 to 18 would have a crosscutting effect and make it possible to obtain meaningful information on gender and labor, gender and health, gender and education, children and labor, children and education, the elderly and social security, and persons with disabilities and education, among other possible combinations. In this way, information relating to Articles 15 to 18 would be presented in connection with information pertaining to other articles. Ethnic and cultural diversity and civil society involvement in progress in legislative and public policy reform would also provide crosscutting perspectives.

7. The Inter-American Commission on Human Rights shall propose, taking into account the contributions of the Inter-American Institute of Human Rights, the progress indicators to be used for each group of protected rights on which information is to be provided.

*Note: Resolution AG/RES. 2030 (XXXIV-O/04). It should be recalled that the idea is not to construct indices in the sense of algebraic measurements that compare all countries in the region in terms of their progress. On the contrary, the progress indicator system studies processes and makes it possible to evaluate different areas of rights in terms of progress; identify, *inter alia*, trends, favorable conditions, and recurring obstacles; and, in that way, recommend concrete measures. Initially, a simple structure common to all the protected rights would be adopted, in order to establish a base to be developed in depth and detail.*

8. Each state party may prepare its progress report in consultation with national civil society organizations.

9. The reports submitted by the states parties to the Protocol shall be examined by a working group that will function in the framework of CIDI. This Working Group shall issue such general recommendations as it deems pertinent. It will prepare its own rules of procedure and the General Secretariat shall provide the assistance necessary for it to carry out its activities.

10. Analysis of each report shall commence within 60 days after its receipt, with the participation of all the organs or agencies of the inter-American system mentioned in Article 19 of the Protocol of San Salvador. The written reports of CIDI, the IACHR, and other organs and agencies shall be conveyed to the Working Group charged with examining the reports, sufficiently in advance for them to be included in its activities. Furthermore, the Working Group may take into account any other information that its members consider relevant for the purposes of the indicators used.

11. In its evaluation, the Working Group shall bear in mind that regressive measures, in principle, are incompatible with full implementation of the Protocol, and that progressiveness, as a feature of the obligations adopted by the states parties concerned, requires a proactive attitude, and not simply inaction, in order to move toward the proposed objective.

Note: It should be recalled that regressive measures are understood as any provisions or policies whose application entails a backward step in the enjoyment or exercise of a protected right. It should be further recalled that the temporary nature of certain regressive measures arising from exceptional circumstances are subject to a different evaluation.

12. The Working Group shall present its preliminary conclusions on each duly submitted national report to the state party concerned. Following receipt of those preliminary conclusions, each state party shall have 60 days to make additional comments for analysis by the Working Group.

13. The Working Group shall adopt final conclusions on the analyzed reports by consensus. Those conclusions shall be notified to the state party in a written communication and at a meeting with the accredited permanent representative to the Organization of American States.

The Working Group shall submit an annual report to CIDI, with a view to its presentation to the General Assembly of the Organization.

AG/RES. 2075 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05), as well as resolutions AG/RES. 1828 (XXXI-O/01), AG/RES. 1890 (XXXII-O/02), AG/RES. 1925 (XXXIII-O/03), and AG/RES. 2030 (XXXIV-O/04);

REAFFIRMING that the universal promotion and protection of human rights, including civil and political, and economic, social, and cultural rights, as well as respect for the rules and principles of international humanitarian law and international refugee 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;

CONSIDERING that 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;

BEARING IN MIND the Declaration and the Plan of Action of the Third Summit of the Americas, adopted in Quebec City, Canada; and

BEARING IN MIND ALSO the efforts and the progress made in the context of the aforementioned resolutions,

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, in that connection, to continue to take concrete measures aimed at implementing the respective mandates of the Heads of State and Government, as set forth in the Plan of Action of the Third Summit of the Americas:

- a. Universalization of the inter-American human rights system by considering the signature and ratification or ratification of, or accession to, as soon as

possible and as the case may be, all universal and inter-American human rights instruments;

- b. Compliance with the 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 come to operate on a permanent basis, taking into account, among other things, the views of those organs.

2. To recognize 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. The initiation, within the Committee on Juridical and Political Affairs (CAJP) of the Permanent Council, of the broad process of reflection on the inter-American system for the promotion and protection of human rights;
- b. The start of a dialogue, within the CAJP, between member states and the organs of the inter-American human rights system (Inter-American Court of Human Rights and Inter-American Commission on Human Rights), in which the Inter-American Institute of Human Rights also participated;
- c. The beginning of the process of reflection by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights during the special session of the Inter-American Commission on Human Rights, held in Mexico City on July 19 and 20, 2004;
- d. Establishment of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará" (MESECVI);
- e. The "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";

- f. 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, which has resulted, *inter alia*, in increased participation by victims in proceedings before the Court and greater use of the friendly settlement procedure in cases considered by the Inter-American Commission on Human Rights, as well as follow-up by the Commission on compliance with its recommendations on this subject;
- g. The deposit by Colombia of the instrument of ratification of the Inter-American Convention on Forced Disappearance of Persons; and
- h. The voluntary contributions to facilitate the work of the organs of the inter-American human rights system made by Brazil, Costa Rica, and Mexico, along with the European Union and the United Nations High Commissioner for Refugees (UNHCR), for the Inter-American Court of Human Rights; and by Argentina, Brazil, Costa Rica, Mexico, Peru, and the United States, along with Denmark, Finland, France, Spain, Sweden, the European Union, the Ford Foundation, the Inter-American Development Bank, the McCormick Tribune Foundation, and the University of Notre Dame, for the Inter-American Commission on Human Rights.

3. To instruct the Permanent Council to meet the objectives mentioned in operative paragraph 1 and to complement and consolidate the progress referred to in operative paragraph 2, by:

- a. Continuing the broad process of reflection on the inter-American system for the promotion and protection of human rights, initiated within the Committee on Juridical and Political Affairs, in consultation with the 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:
 - i. The major challenges facing the inter-American system for the promotion and protection of human rights in the Hemisphere;
 - ii. Possible actions to strengthen and improve the system; and
 - iii. The advisability of convening an inter-American human rights conference.
- b. 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;
- c. Supporting any 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;

- d. Encouraging, in addition, member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights;
- e. Continuing to consider ways to promote compliance with the judgments of the Inter-American Court of Human Rights and follow-up on the recommendations of the Inter-American Commission on Human Rights by member states;
- f. 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;
- g. Holding each year, within the CAJP, the dialogue between the member states and the members of the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights on the way the inter-American human rights system operates. The Committee on Juridical and Political Affairs will establish the agenda for said meeting at least two months in advance; and
- h. 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. Continue to 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.

4. To reaffirm the commitment of our Heads of State and Government to promote and protect human rights and fundamental freedoms in the Hemisphere by strengthening the capacity of governmental institutions mandated to do so and, in that connection, to instruct the Committee on Juridical and Political Affairs to devote a meeting, prior to the Fourth Summit of the Americas, to the progress made on this topic, among other things.

5. To continue to promote the strengthening of national systems for the promotion and protection of human rights in member states and, to that end, to urge the pertinent organs, agencies, and entities of the Organization to provide, in accordance with their capabilities and resources, cooperation and technical support to the member states that so request, in order to help enhance

compliance with their international human rights obligations, and to develop cooperative relations and information exchange, *inter alia*, with the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas and the Ibero-American Federation of Ombudsmen.

6. To request the Permanent Council to follow up on this resolution, which will be implemented 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-sixth regular session.

AG/RES. 2076 (XXXV-O/05)

FOLLOW-UP ON THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION
AND ITS PROGRAM FOR COOPERATION

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05);

BEARING IN MIND the Declaration of Quito on Social Development and Democracy, and the Impact of Corruption [AG/DEC. 36 (XXXIV-O/04)] and resolutions AG/RES. 2022 (XXXIV-O/04), "Joint Efforts of the Americas in the Struggle against Corruption and Impunity"; and AG/RES. 2034 (XXXIV-O/04), "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, Canada, in April 2001, 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 33 OAS member states, which constitutes an increase of three states over the past year, and that 28 of them participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC);

BEARING IN MIND that, in the Declaration on Security in the Americas, adopted at the Special Conference on Security, in Mexico City, in October 2003, 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, adopted at the Special Summit of the Americas, in Monterrey, Mexico, in January 2004, 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"; and pledged, *inter alia*, to increase their "cooperation within the framework of the Inter-American Convention against Corruption, particularly by strengthening its follow-up 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, that may have a negative impact on economies, in particular those of developing countries and on their producers and consumers,” which makes it necessary to strengthen hemispheric cooperation in fighting corruption;

WELCOMING the results of the First Meeting of the Conference of States Parties to the MESICIC, held in Washington, D.C., on April 1 and 2, 2004, and, in particular, the “Conclusions and Recommendations on Concrete Measures to Strengthen MESICIC” (SG/MESICIC/doc.103/04 rev. 6);

RECOGNIZING the work of the Committee of Experts of the MESICIC, which has been supported by the OAS General Secretariat;

EMPHASIZING that, in fulfillment of the Declaration of Nuevo León and of resolution AG/RES. 2034 (XXXIV-O/04), the Meeting of States Parties to the Inter-American Convention against Corruption was held in Managua, Nicaragua, on July 8 and 9, 2004, and that it adopted the Declaration of Managua (EPCICOR/doc.05/04 rev. 6 corr. 1) and the Plan of Action of Managua on Additional Concrete Measures to Increase Transparency and Combat Corruption within the Framework of the Inter-American Convention against Corruption (EPCICOR/doc.04/04 rev. 5 corr. 1); 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 welcome the accession to the Inter-American Convention against Corruption by the Government of Dominica and its ratification by the Governments of Haiti and Saint Kitts and Nevis; to urge those states parties that have not yet done so to participate in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC); and to urge all states parties to the Mechanism to fund it through voluntary contributions.

2. Also to urge those member states of the OAS 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 (Mérida Convention), so that it may enter into force as soon as possible, as well as the United Nations Convention against Transnational Organized Crime (Palermo Convention).

3. To urge the states parties to the Inter-American Convention against Corruption to take any measures they deem necessary to adapt their domestic law in order to 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 and bilateral mechanisms for mutual legal assistance in criminal matters, and to apply them, in order to respond to

requests made in accordance with the procedures established in these mechanisms in relation to the acts of corruption described in the Convention, with a view to combating impunity.

5. To express once again its support for strengthening the MESICIC and, in that regard:
 - a. To reaffirm its satisfaction over the agreement reached at the First Meeting of the Conference of States Parties to the MESICIC to strengthen the Conference of States Parties as a political forum for addressing topics in the area of hemispheric cooperation against corruption; and, in that regard, to invite it, with technical support from the Office of Inter-American Law and Programs of the Department of Legal Affairs and Services of the OAS General Secretariat, to continue holding working meetings taking into account the Document of Buenos Aires and to evaluate the possibility of requesting from the Committee of Experts recommendations and other contributions on the topics it is considering;
 - b. To invite the Conference of States Parties to the MESICIC to consider discussing concrete measures, in accordance with Articles V, VI.1.b, and VIII of the Inter-American Convention against Corruption, to prevent and punish the corruption or bribery of domestic public officials by foreign persons or enterprises in international business transactions, and to strengthen information exchange and cooperation with, *inter alia*, the Organisation for Economic Co-operation and Development (OECD), the United Nations, the World Bank, and the Inter-American Development Bank (IDB), with regard to developments in this field; and to invite the Conference to share with the Permanent Council the outcome of its deliberations;
 - c. Also to invite the Conference of States Parties to the MESICIC to consider appropriate measures to strengthen cooperation in the context of this Follow-up Mechanism, taking into account, when appropriate, the new forms of cooperation established in the Mérida Convention;
 - d. To express its satisfaction with the progress made by the Committee of Experts of the MESICIC, with support from the OAS General Secretariat, in strengthening the Mechanism; and to take note of the increase in the number of country reports considered by the Committee, which allowed the Committee, at its seventh meeting, to adopt the reports on Mexico, Trinidad and Tobago, Honduras, El Salvador, the Dominican Republic, and The Bahamas, adding them to those previously adopted, on Argentina, Paraguay, Colombia, Nicaragua, Uruguay, Panama, Ecuador, Chile, Bolivia, Peru, Costa Rica, and Venezuela;
 - e. To request the General Secretariat to continue identifying sources of funding within the OAS, such as the Regular Fund, and of external funding, such as international and regional financial institutions and national government agencies, among others, for the adequate funding of the MESICIC and, when

applicable, for the full and effective implementation of its recommendations;
and

- f. To invite the Conference of States Parties to the MESICIC to continue reporting to the Permanent Council on the implementation of the “Conclusions and Recommendations on Concrete Measures to Strengthen MESICIC” (SG/MESICIC/doc.103/04 rev. 6), adopted at the First Meeting of the Conference of States Parties, as well as on other topics submitted to it for consideration.

6. To take into account the mandates set forth in the Declaration and the Plan of Action of Managua (EPCICOR/doc.05/04 rev. 6 corr. 1 and EPCICOR/doc.04/04 rev. 5 corr. 1), adopted at the Meeting of States Parties to the Inter-American Convention against Corruption, held pursuant to the Declaration of Nuevo León; and, in that regard:

- a. To request the Permanent Council, and invite the Conference of States Parties to the MESICIC, to continue, in their respective areas of competence, to follow up on the results of the Meeting of States Parties to the Convention;
- b. To take note of the recommendations (REXCOR/doc.2/05 rev. 1) and the Final Report (REXCOR/doc.6/05), which include proposals that were not considered, of the Meeting of Experts on Cooperation with respect to the Denial of Safe Haven to Corrupt Officials and Those Who Corrupt Them, Their Extradition, and the Denial of Entry and Recovery of the Proceeds of Corruption and Their Return to Their Legitimate Owners, in fulfillment of the Plan of Action of Managua on Additional Concrete Measures to Increase Transparency and Combat Corruption within the Framework of the Inter-American Convention against Corruption (EPCICOR/doc.04/04 rev. 5, corr. 1, paragraph 9) and resolutions AG/RES. 2034 (XXXIV-O/04), operative paragraph 6.c, and CP/RES. 875 (1460/05), held on March 28 and 29, 2005, at OAS headquarters;
- c. To invite the Conference of States Parties to the MESICIC and the REMJA Working Group on Mutual Legal Assistance in Criminal Matters and Extradition to give appropriate consideration to the topics addressed at the meeting mentioned in the preceding subparagraph.

7. To request the General Secretariat to continue, through the Office of Inter-American Law and Programs of the Department of Legal Affairs and Services, to provide technical secretariat services for follow-up on the results of the meetings referred to in the preceding operative paragraph.

8. To instruct the Permanent Council to consider, review, update, and supplement, through the Committee on Juridical and Political Affairs (CAJP) and insofar as it considers this appropriate, the Inter-American Program for Cooperation in the Fight against Corruption, adopted by resolution AG/RES. 1477 (XXVII-O/97), and present it for adoption to the General Assembly at its thirty-sixth regular session; and to request the General Secretariat to draft a proposal that would provide the basis for execution of this mandate by the Permanent Council.

9. 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.

10. To instruct the Permanent Council to follow up on the activities stemming from 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-sixth regular session.

AG/RES. 2077 (XXXV-O/05)

STRENGTHENING MECHANISMS FOR POLICY DIALOGUE
FOR INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 143 (IX-O/04), CIDI/RES. 162 (X-O/05), and AG/RES. 1981 (XXXIV-O/04), “Strengthening Mechanisms for Policy Dialogue for Integral Development”;

CONSIDERING:

That in the Declaration of Nuevo León of the Special Summit of the Americas, held in Monterrey, Mexico, in 2004, 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 in 2001, 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 Charter of the Organization of American States 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 Summits 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 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 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;

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 current Strategic Plan for Partnership for Development;

That Executive Order No. 05-03 corr. 1 established that the Executive Secretariat for Integral Development (SEDI) shall consist of the Office of Education, Science, and Technology; the Office of Sustainable Development and Environment; the Office of Scholarships, Training, and Information Technology for Human Resource Development; the Office of Trade, Growth, and Competitiveness; the Office of Development Policies and Programs; and the Secretariat of the Inter-American Telecommunication Commission, for the purpose, *inter alia*, of contributing to strengthening mechanisms for policy dialogue; and

That the current Strategic Plan for Partnership for Development is in effect through 2005, and it is therefore essential to begin consideration of the new plan for 2006-2009,

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 reiterate 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 agree that the regular meetings of the Inter-American Council for Integral Development (CIDI), within the framework of the Strategic Plan for Partnership for Development, must play a more active role in intersectoral coordination and sharing of experiences.

4. To take note of the progress made regarding mechanisms of the Scholarship and Training Programs and the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI), administered by the Inter-American Agency for Cooperation and Development (IACD); and to entrust the Permanent Executive Committee of CIDI (CEPCIDI), in view of said progress and of any restructuring of the Secretariat that might be carried out by the Secretary General as well as of any recommendations that might be handed down by the Management Board of the IACD, with conducting a comprehensive examination of the Agency's operations and funding and with presenting its conclusions and recommendations to CIDI.

5. 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.

6. 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 substantive dialogue with a view to formulating policies, defining priorities, and developing activities.

7. To suggest to the sectoral authorities that, in preparing for, conducting, and following up on ministerial meetings and/or meetings of the inter-American committees, they 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.

8. To instruct the Executive Secretariat for Integral Development (SEDI) and, in particular, its offices responsible for serving as technical secretariats for sectoral processes within CIDI to give preference to said processes in their activities and to ensure that this is reflected in any work plans and reports they present.

9. To entrust the Summits of the Americas Secretariat 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 endorse the proposal by CIDI to instruct CEPCIDI to begin consideration of the new Strategic Plan for Partnership for Development, for 2006-2009, and to approve it *ad referendum* of the thirty-sixth regular session of the General Assembly.

11. To instruct SEDI to prepare a progress report on achievement of the objectives of the current Strategic Plan in order to facilitate CEPCIDI's evaluation of the Plan.

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 the role that could be played

by national development and/or cooperation agencies or entities, and to submit its conclusions and recommendations to the General Assembly at its thirty-sixth regular session.

AG/RES. 2078 (XXXV-O/05)

STRENGTHENING TECHNICAL COOPERATION FOR INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 144 (IX-O/04), CIDI/RES. 163 (X-O/05), and AG/RES. 1982 (XXXIV-O/04), “Strengthening Technical Cooperation for Integral Development”;

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 multinational 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, due to their high number;

The need for the Inter-American Agency for Cooperation and Development (IACD) to make special efforts to mobilize, from different sources, additional financial and other nonreimbursable resources to fund technical cooperation programs, projects, activities, and initiatives for integral development;

That the Strategic Plan indicates that, in the spirit of partnership for development, national institutions taking part in cooperation activities will have to take into account the priority areas and 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 multinational 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) human resource development; and (d) gender equality and equity;

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

That the IACD is implementing a mechanism for evaluating cooperation activities funded by FEMCIDI, the first evaluation cycle of which has been successfully concluded;

That in addition to the evaluation conducted once a project has been concluded, it is very important that projects be monitored during the course of their execution;

That the member states, with support from the General Secretariat, have presented proposals and are executing projects financed with FEMCIDI resources that implement mandates of the ministerial meetings; and

That the Permanent Executive Committee of CIDI (CEPCIDI) has made progress in its consideration of the document "Criteria for Presentation, Selection and Evaluation of Partnership for Development Activities Financed by FEMCIDI" (CEPCIDI/SCSD/doc.252/04 Rev. 9),

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, the Summits of the Americas, ministerial meetings, and/or meetings of the inter-American committees, and contribute especially to the elimination of extreme poverty, and that priority should be given to those of a multinational character, while continuing to recognize the importance of national projects to member states.

2. To recommend to member states that, to the extent possible, the cooperation activities they present in the priority areas of the Strategic Plan for Partnership for Development include, as elements in their formulation, implementation, and evaluation, the following: (a) civil society participation; (b) environmental considerations; (c) human resource development; and (d) gender equality and equity; and to instruct the Inter-American Agency for Cooperation and Development (IACD), when it considers cooperation projects, prepares the preliminary programming proposal for the Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI), and evaluates technical cooperation activities, to verify whether the projects have included those elements, when appropriate.

3. To recommend once again to the ministerial meetings and 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 timely presentation by a member state for financing from a variety of sources, including FEMCIDI.

4. To instruct the General Secretariat, in all its areas, to provide coordinated support to member states in the formulation, consolidation, execution, monitoring and coordination of projects referred to in the preceding operative paragraph, as requested, and in the mobilization of resources.

5. To call upon the member states to increase, to the extent possible, their contributions to finance partnership-for-development activities; and to reiterate its request to the IACD to make special efforts to obtain, from different sources, additional nonreimbursable financial and nonfinancial resources. In that connection, special attention must be paid to the permanent observers.

6. To instruct the IACD to continue to foster increased collaboration and synergy among partnership-for-development programs and activities carried out by the different areas of the General Secretariat, particularly FEMCIDI, the scholarship 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.

7. To note the results of the first FEMCIDI project evaluation cycle conducted by the IACD.

8. To direct that the findings of that evaluation of projects and programs 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.

9. To note that CEPCIDI has made progress in its consideration of the document "Criteria for Presentation, Selection and Evaluation of Partnership for Development Activities Financed by FEMCIDI."

10. To recommend to the General Secretariat that it take the considerations and recommendations contained in this resolution into account in the restructuring process.

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

AG/RES. 2079 (XXXV-O/05)

STRENGTHENING SUBSTANTIVE POLICY DIALOGUE IN THE FRAMEWORK OF THE
INTER-AMERICAN COUNCIL FOR INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES. 164 (X-O/05), “Strengthening Substantive Policy Dialogue in the Framework of the Inter-American Council for Integral Development”;

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 the Permanent Council and CIDI are principal organs of the Organization of American States, on an equal footing and at the same juridical and political level, and are directly responsible to the General Assembly;

That each of the two Councils has the functions assigned to it in the OAS Charter and in other inter-American instruments, as well as those conferred on it by the General Assembly and the Meeting of Consultation of Ministers of Foreign Affairs;

That the purpose of CIDI is to promote partnership for development among the American states in order to further their integral development and, in particular, to help eliminate extreme poverty, the principal scourge that the Hemisphere faces;

That the OAS Charter establishes that CIDI shall hold at least one meeting each year at the ministerial or equivalent level and shall have the right to convene meetings at the same level for the specialized or sectoral topics it considers relevant, within its sphere of competence;

That the inter-American ministerial meetings held in the different sectoral areas have been very successful and have given rise to substantive and productive dialogue among their respective authorities;

That resolution AG/RES. 1981 (XXXIV-O/04), “Strengthening Mechanisms for Policy Dialogue for Integral Development,” instructed 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 the regular and special meetings of CIDI and their relationship with the Permanent Executive Committee of CIDI (CEPCIDI), and to submit its conclusions and recommendations to the General Assembly at its thirty-fifth regular session;

That, pursuant to its Statutes, CIDI comprises one principal representative, of ministerial or equivalent rank, for each member state, who is specially appointed by the respective government;

That CIDI serves as a catalyst for the mobilization of human, technical, and financial resources and, within the OAS, as a coordinator for implementation of the mandates that emerge from the Summits of the Americas process, in its area of competence, in accordance with the provisions of the Strategic Plan for Partnership for Development; and

TAKING INTO ACCOUNT that the important mandates of CIDI and those emanating from the sectoral meetings of ministers and high authorities in the economic, social, educational, cultural, labor, tourism, sustainable development, and scientific and technological areas make it necessary and fundamental for member states at CIDI meetings to engage in substantive policy dialogue on the topic to be addressed and to achieve progress in the formulation of policies, the definition of priorities, and the development of specific actions aimed at promoting integral development,

RESOLVES:

1. To reiterate the request made by the Inter-American Council for Integral Development (CIDI) to the Permanent Executive Committee of CIDI (CEPCIDI) to select, at least six months in advance, the specific topic that CIDI will consider at its next meeting, so that the member states may be properly informed of the topic that they will address and so that CEPCIDI and the General Secretariat of the OAS may carry out the preparatory work necessary to facilitate the substantive policy dialogue that is sought.

2. To invite the member states of the Organization of American States to appoint representatives at the ministerial or equivalent level or high authorities associated with the topic under consideration, to attend regular meetings of CIDI, so that these meetings may give rise, at the policy level entrusted to CIDI in the OAS Charter, to mandates, guidelines, and recommendations to be implemented, and to follow up on the work of its subsidiary bodies and of the General Secretariat.

3. To request CEPCIDI to ensure that, in preparing for CIDI meetings, pursuant to section III of the Rules of Procedure of CIDI and in coordination with the OAS member states and the pertinent authorities of the General Secretariat, steps are taken to promote substantive policy dialogue at the ministerial or equivalent level or with high authorities associated with the topic under consideration, aimed at formulating policies, defining priorities, and carrying out activities.

4. To encourage member states, with support from the General Secretariat, to promote and foster, among their governments, the participation in regular meetings of CIDI of representatives at the ministerial or equivalent level or high authorities associated with the topic under consideration.

5. To reiterate CIDI's request to CEPCIDI to evaluate the usefulness of holding more than one regular meeting of CIDI each year, to make it possible to deal with procedural matters, particularly those carried out prior to a General Assembly session, separately from those issues that may require substantive dialogue.

6. To instruct CIDI to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution.

AG/RES. 2080 (XXXV-O/05)

STUDY OF THE RELATIONSHIP BETWEEN TRADE,
DEBT, AND FINANCING

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1990 (XXXIV-O/04), CIDI/RES. 146 (IX-O/04), and CIDI/RES. 168 (X-O/05), “Study of the Relationship between Trade, Debt, and Financing”;

CONSIDERING:

That in the Declaration of Nuevo León of the Special Summit of the Americas, held in Monterrey, Mexico, in 2004, 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; and

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

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 (WTO);

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);

Paragraph 13 of the Ministerial Declaration of the Free Trade Area of the Americas (FTAA), adopted at the Seventh Meeting of Ministers of Trade of the Hemisphere (Ministerial 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”; and

That on April 8, 2005, pursuant to resolution AG/RES. 1990 (XXXIV-O/04), a joint meeting of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) was held to study the relationship between trade, debt, and financing and to consider the impact of the debt service burden on the fight against poverty,

RESOLVES:

1. To take note of the joint meeting of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), held on April 8, 2005, 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 reiterate instructions given by CIDI to the General Secretariat to prepare a detailed report of said joint meeting, to submit it to CEPCIDI, and, once it is approved, to disseminate it as widely as possible. To suggest as well to member states that it be used as input for deliberations and discussions aimed at defining policy in the economic and social area.

AG/RES. 2081 (XXXV-O/05)

POVERTY, EQUITY, AND SOCIAL INCLUSION: FOLLOW-UP TO THE
DECLARATION OF MARGARITA

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 113 (VII-O/02), CIDI/RES. 130 (VIII-O/03), CIDI/RES. 145 (IX-O/04), AG/RES. 1854 (XXXII-O/02), AG/RES. 1962 (XXXIII-O/03), and AG/RES. 1983 (XXXIV-O/04), "Poverty, Equity, and Social Inclusion"; CEPCIDI/RES. 90 (LXXXIX-O/03), "High Level Meeting on Poverty, Equity and Social Inclusion"; and CIDI/RES. 165 (X-O/05), "Poverty, Equity and Social Inclusion: Follow-up to the Declaration of Margarita";

TAKING INTO ACCOUNT that the High-Level Meeting on Poverty, Equity, and Social Inclusion, which took place on Isla de Margarita, Venezuela, from October 8 to 10, 2003, 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 will 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 21st century;

That in the same Declaration the Heads of State and Government urged 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";

That the General Assembly, through resolution AG/RES. 1983 (XXXIV-O/04), "Poverty, Equity, and Social Inclusion," endorsed the Declaration of Margarita;

That, in resolution AG/RES. 1983 (XXXIV-O/04), the General Assembly took note of the proposal for a follow-up to the High-Level Meeting on Poverty, Equity, and Social Inclusion (CEPCIDI/doc.594/03), as well as of the method for its implementation (CEPCIDI/doc.611/04 corr. 1);

That in the Declaration of Margarita, the high-level authorities of the OAS member states responsible for social development policies and programs expressed their commitment to ensuring that the Inter-American Council for Integral Development (CIDI), as the hemispheric policy forum for dialogue on combating poverty, would contribute to following up on, evaluating, and monitoring the eight development goals established in the United Nations Millennium Declaration;

That the United Nations, through the United Nations Development Programme (UNDP) and the Economic Commission for Latin American and the Caribbean (ECLAC), as well as the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), and other specialized agencies of the inter-American system, have given ample consideration to the goals established in the United Nations Millennium Declaration;

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. 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 OAS Charter, 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

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

RESOLVES:

1. To instruct the Permanent Council and the Inter-America Council for Integral Development (CIDI) to consider carefully the recommendations approved at the High-Level Meeting on Poverty, Equity, and Social Inclusion.

2. To instruct the Permanent Council and CIDI to consider, based on the proposal made at said meeting, mechanisms and instruments that make it possible 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.

3. To convene, during the second half of 2005, in light of the commitment adopted in the Declaration of Margarita, a joint meeting of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to contribute to the follow-up, evaluation, and monitoring of the eight development goals established in the United Nations Millennium Declaration for the year 2015.

4. To instruct the member states to report, at that joint meeting, on the progress made in achieving their respective national goals as they pertain to the development goals of the United Nations Millennium Declaration.

5. To invite experts in this area to participate in that joint meeting, particularly from the United Nations Development Programme (UNDP), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), and the Economic Commission for Latin America and the Caribbean (ECLAC), as well as other pertinent agencies of the inter-American system, so that they may report on the progress made toward achieving the development goals of the United Nations Millennium Declaration at the hemispheric level.

6. To instruct the General Secretariat to lend its support, through the Executive Secretariat for Integral Development, for holding the joint meeting.

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

AG/RES. 2082 (XXXV-O/05)

MICROCREDIT AND MICROFINANCING FOR
JOB CREATION AND POVERTY ALLEVIATION, AND INSTRUMENTS
FOR FURTHERING SOCIAL COHESION AND COMMUNITY PARTICIPATION

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES. 166 (X-O/05), “Microcredit and Microfinancing for Job Creation and Poverty Alleviation, and Instruments for Furthering Social Cohesion and Community Participation”;

CONSIDERING:

That 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, and that this commitment was reaffirmed in resolutions AG/RES. 1854 (XXXII-O/02) and AG/RES. 1962 (XXXIII-O/03), a priority inspired by the principles of solidarity and inter-American cooperation, in the quest for equity and social justice and the integral development of its peoples;

That, according to the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas, 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 good governance practices that promote equal opportunity, education, health, and full employment;

That, in the Declarations of the Summits of the Americas held in Miami, Santiago, and Quebec City, as well as that of the Special Summit of Nuevo León, and in their respective Plans of Action, the Heads of State and Government of the Americas pledged to promote, strengthen, and support the microenterprise and small-business sector through programs in the areas of information, training, technical assistance, financing, and association-building, enabling these sectors to thrive over the long term;

That microcredit and microfinancing are key elements of the central topic of the Summit of the Americas to be held in Argentina in 2005, which is the creation of jobs to fight poverty and strengthen democratic governance;

That the first of the development goals of the United Nations Millennium Declaration is to meet the critical challenge of reducing extreme poverty in the world by half by the year 2015;

That the United Nations General Assembly, in resolution 53/197, of December 15, 1998, proclaimed the year 2005 as the International Year of Microcredit and requested that its observance

be a special occasion for giving impetus to microcredit programs in all countries, in particular the developing countries;

That the Microcredit Summit was held in Washington, D.C., in 1997, during which a global campaign was launched to “reach 100 million of the world’s poorest families, especially the women of those families, with credit for self-employment and other financial and business services by the year 2005”;

That said campaign brings together public and private microcredit practitioners, educational institutions, donor agencies, governmental and nongovernmental organizations, and others involved with microcredit and microfinancing, so that they may promote best practices in the field, learn from one another, and work toward reaching the Summit goal; and

That, in the framework of that global campaign, the Regional Microcredit Summit for Latin America and the Caribbean was held in Santiago, Chile (April 19-22, 2005);

TAKING INTO ACCOUNT:

That a high percentage of families in the Hemisphere do not have access to, or are excluded from, financial services and formal credit systems, since such credit operations with those families are not considered profitable for the formal banking system;

That in numerous Latin American and Caribbean countries a system is in place based on informal production activities that contribute to the survival of a large segment of the population;

That millions of people are striving to overcome social and economic exclusion by developing small-scale productive and commercial activities, both rural and urban, outside the formal economic structure, launching modest productive and trade initiatives that develop unused resources; work toward economic, social, political, and cultural integration; and take solidarity concerns into account;

That it is essential to promote technological and productive innovation, access to arable land, irrigation, education, basic health care, gender equity, and economic and environmental sustainability, so as to generate different forms of socially just production, marketing, and wealth distribution, which may contribute to meeting the needs of families and communities traditionally excluded from development processes, thus enabling the benefits of development to accrue equally to everyone;

That microcredit and microfinancing are important financial tools for fighting poverty; foster the creation of wealth, jobs, and economic security; and provide independence to people living in poverty, in particular women, helping to build an economy in which everyone may participate, without exclusion;

That microcredit and microfinancing help to forge ties of solidarity, democratic community participation, and social cohesion and integration; to stimulate local economies; and to promote collaboration among persons and institutions engaged in economic development; and

That funds, especially those from governments and donors, must be made available and channeled to microcredit institutions, through independent lending institutions at national and regional levels,

RESOLVES:

1. To urge member states to create, promote, and/or strengthen microcredit and microfinancing systems and institutions tailored to specific national and regional realities in order to facilitate the mobilization of resources for microcredit and microfinancing to help reduce the economic vulnerability of families and persons who are excluded from the formal banking system.

2. To invite banking and financial institutions and savings and loan cooperatives, both public and private, as well as nongovernmental organizations, to establish microcredit and microfinancing services such that people may have quick access to credit on flexible terms, with rates, amounts, and repayment periods enabling them to repay their loans.

3. To urge member states to strive to increase the resources earmarked for microloans, through official development assistance (ODA) and other channels, to those without access to the formal banking system, and to invest in microfinance aimed at alleviating poverty, as a key aspect of their strategies to help meet the commitments contained in the United Nations Millennium Declaration, especially with regard to poverty alleviation.

4. To urge the World Bank, the Inter-American Development Bank (IDB), the United Nations Development Programme (UNDP), and other regional institutions, banks, and financial corporations to increase the proportion of their loans and grants earmarked for microcredit and microfinancing.

5. To request global and regional organizations and multilateral and bilateral governmental development agencies to continue to support through programs, including training and technical assistance programs, the development, strengthening, and modernization of microenterprises and small businesses to enable them to continue contributing to poverty alleviation in the Hemisphere.

6. To recommend to member states that their central, state or regional, and local governments encourage the procurement and/or use of goods and services produced by microenterprises and small businesses, to enable these producers to play a more active role in the country's economic activities and help generate employment.

7. To invite those countries that have developed successful microcredit and microfinancing systems and programs to share their experiences and best practices and to include in their cooperation projects offers to provide help and technical assistance in this field.

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

AG/RES. 2083 (XXXV-O/05)

STRENGTHENING OF MICRO, SMALL, AND MEDIUM-SIZED ENTERPRISES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution CIDI/RES. 167 (X-O/05) “Strengthening of Micro, Small and Medium-Sized Enterprises”;

CONSIDERING:

That, in the Declaration of Nuevo León, the Heads of State and Government stated: “We recognize that micro, small, and medium-sized enterprises constitute a fundamental component for economic growth, employment creation, and poverty reduction in our countries. We will support micro, small, and medium-sized enterprises through policies and programs that facilitate their consolidation and incorporation into the formal sector, allow their effective access to markets and to government procurement, and, inter alia, promote investment in and training of human resources, and facilitate access to credit, business development services, and new technologies in order to reduce administrative costs. Additionally, we will promote greater international cooperation in order to foster the sharing of best practices for the development of micro, small, and medium-sized enterprises”;

That the strengthening of micro, small, and medium-sized enterprises is a key element of the central topic of the Summit of the Americas to be held in Argentina in 2005, which is the creation of jobs to fight poverty and strengthen democratic governance;

That, in the Ministerial Declaration of Quito, the Seventh Meeting of Ministers of Trade adopted “the Hemispheric Cooperation Program 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 benefits of hemispheric integration, including productive capacity and competitiveness in the region”;

That the Strategic Plan for Partnership for Development 2002-2005 underscores efforts to support initiatives by member states aimed at increasing the productivity and market access of small and micro enterprises and includes, among its objectives, support for activities to enhance the competitiveness of our countries, particularly those with smaller economies, and for projects and initiatives that strengthen the capacity of the business sector to generate employment and promote social well-being through foreign trade;

That the Strategic Plan recognizes the importance of supporting countries in the implementation of projects and activities in secondary and higher education that meet the needs of a constantly evolving labor market. It also includes measures designed to take advantage of new information and communication technologies; and

That, through the Hemispheric Cooperation Program, the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) and the Governments of Canada and the United States have allocated resources to the Executive Secretariat for Integral Development to strengthen the competitiveness of micro, small, and medium-sized enterprises in order to promote trade and development through the use of Internet resources, and information and communication technologies,

RESOLVES:

1. To urge member states to continue to strengthen micro, small, and medium-sized enterprises (MSMEs) so as to contribute to economic growth, job creation, and poverty alleviation in the countries of the Hemisphere.

2. To request the pertinent sectoral authorities to consider, during their ministerial meetings and/or meetings of the inter-American committees, the advisability of formulating policies and programs in support of micro, small, and medium-sized enterprises.

3. To instruct the General Secretariat to support, to the extent possible, efforts by member states aimed at strengthening the competitiveness of MSMEs for trade and development by:

- a. Strengthening the institutional framework that support MSMEs, in particular by facilitating their access to markets and to government procurement using electronic means in order to provide broader dissemination of the opportunities available to them;
- b. Promoting the use by MSMEs of Internet resources and information and communication technologies, to improve quality management and marketing and to promote, accordingly, their association and participation in supply chains;
- c. Human resource development and training for MSMEs to meet the workforce needs of an increasingly knowledge-based economy; and
- d. Transferring lessons learned and sharing best practices in order to help accelerate the development of MSMEs and job creation.

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

AG/RES. 2084 (XXXV-O/05)

REPORT OF THE SECOND INTER-AMERICAN MEETING OF
MINISTERS OF CULTURE AND HIGHEST APPROPRIATE AUTHORITIES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolution CIDI/RES. 171 (X-O/05), "Report of the Second Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities"; and

Resolutions AG/RES. 1980 (XXXIV-O/04) and CIDI/RES. 155 (IX-O/04), "Report of the First Meeting of the Inter-American Committee on Culture"; and

CONSIDERING:

That the Second Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities was held in Mexico, on August 23 and 24, 2004, with technical support from the General Secretariat;

That the topics considered at the Meeting were culture as an engine for economic growth, employment, and development; challenges faced by cultural industries; and culture as a tool for social cohesion and the fight against poverty; and

The Final Report of the Second Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities (REMIC-II/doc.9/05),

RESOLVES:

1. To endorse the Declaration and the Plan of Action adopted at the Second Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities, which are appended to this resolution; and to entrust the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) and the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), particularly its Office of Education, Science, and Technology, with collaborating with authorities in the culture sector in implementing the agreements and activities agreed upon.

2. To acknowledge the efforts made by the Government of Mexico to organize and hold the Second Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities.

3. To take note of the offer made by the Government of Chile to host the Second Meeting of the Inter-American Committee on Culture, scheduled for the second half of 2005.

4. To instruct the General Secretariat to continue, through SEDI, to support the process of preparation and follow-up of meetings in the culture sector.

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

DECLARATION OF MEXICO

We, the ministers and highest government authorities responsible for cultural policy and for supporting cultural activities in the Americas, mindful that cultural expressions are vectors of identity, value, and meaning and that cultural diversity is essential for the promotion of economic growth with equity aimed at reducing poverty; aware, too, that cultural diversity is an essential condition for social development and the fight against poverty, as well as a core feature of democratic governance, have gathered in Mexico City under the auspices of the Organization of American States (OAS), within the framework of the commitments made at the Third Summit of the Americas, in Quebec City, Canada (2001), and at the Special Summit of the Americas, in Monterrey, Mexico (2004).

We reaffirm the Declaration of Cartagena de Indias, in particular that it is necessary to strengthen dialogue on cultural and linguistic diversity directed at recognition of and respect for diverse cultures, including, among others, those that are indigenous and those that are of African descent, with a view to eradicating all forms of discrimination, and to acknowledge the contributions of all cultures, given the need to promote their full and equal participation in our societies. We encourage greater cooperation among governments, civil society, and the private and voluntary sectors, in order to develop new and dynamic cultural policies and programs aimed at promoting the diversity of cultural expressions of the Hemisphere, maximizing the benefits of globalization and mitigating its negative effects on the preservation and promotion of cultural diversity in the Americas.

Considering the opportunities afforded us by our rich and varied cultural diversity, we have analyzed, explored, and established lines of action to bring about more effective cooperation among our countries, using as a focal point the role culture plays in integration and economic, social, and political development in our Hemisphere. We therefore recognize the importance of the mandate issued by the OAS General Assembly at its thirty-fourth regular session to prepare a draft Social Charter of the Americas and a Plan of Action.

We consider that it is vital for all states to recognize our cultural heritage and fully appreciate and encourage the creative expression of our peoples. We support the need to create and maintain a climate that encourages and fosters freedom of thought, of imagination, and of inquiry and that promotes full expression and access to cultural activities.

We recognize the important link between development and culture and we agree that cultural dialogue contributes, *inter alia*, to sustainable development, stability, and peace.

We reaffirm that safeguarding cultural heritage in all its forms has a role in promoting cultural diversity. The places, objects, and living traditions of the diverse groups that make up our countries constitute a lasting legacy that needs to be recognized and preserved.

Therefore, we encourage the deepening of inter-American cooperation in the identification, preservation, and appreciation of heritage resources as expressions of our diverse cultural history. Further, we condemn the pillage, illicit traffic, destruction, and unauthorized possession of cultural objects, as well as the commensurate damage to archeological and historic sites, which results in

irreversible losses to cultural heritage, identity, and the related sustainable economic potential of our peoples.

Recalling the efforts made by UNESCO in support of cultural diversity, including the Universal Declaration on Cultural Diversity, and the resolution adopted by consensus by the UNESCO General Conference at its 32nd session, with a view to drawing up the preliminary draft of an international convention on cultural diversity, we will promote regional dialogue on this matter.

We consider cultural diversity to be a crosscutting issue for the three main topics of this Declaration. For that purpose, we declare the following:

CULTURE AS AN ENGINE FOR ECONOMIC GROWTH, EMPLOYMENT, AND DEVELOPMENT

We recognize the need to examine the relationship between economic growth with equity, aimed at reducing poverty, and strengthening of cultures and respect for cultural diversity as a fundamental part of our identities. We also recognize the need to develop indicators that enable us to measure the social and economic impact of cultural activity and to establish a closer bond between cultural policies and economic, trade, social, and fiscal policies.

We recognize the important role that artists and others engaged in cultural activities play in our societies and their contribution to our national economy and identities.

We acknowledge the importance of enhancing cooperation and partnerships and of forging new relationships with international and regional organizations, industry associations, cultural industries, civil society, and nongovernmental and nonprofit organizations, in order to promote cultural cooperation effectively in the Americas.

We recognize that the interrelationship between educational, social, economic, and cultural policies should be taken into consideration in sustaining and promoting diversity in cultural contents and artistic expressions.

We encourage international financial institutions, agencies, and foundations to expand programs that support micro-, small, and medium-sized enterprises that promote cultural as well as economic goals, since small and medium enterprises (SMEs) constitute a fundamental source of economic growth and job creation.

CHALLENGES FACED BY CULTURAL AND CREATIVE INDUSTRIES

We agree on the need to strengthen and promote all actors in the cultural field, including cultural and creative industries that constitute one of the most dynamic sectors of our economies and generate employment and wealth. Similarly, they open up fundamental opportunities for forging and transforming cultural identities and offer great potential for strengthening the cultural community of the Americas.

We reaffirm the role of all actors in the cultural field, including cultural and creative industries, as components of economic activity and stimuli of social cohesion. In this context, we recognize the need to formulate integral public policies that encourage respect for and the promotion of cultural diversity.

We commit to promoting the growth of all actors in the cultural field, including cultural and creative industries, to which end it is necessary to develop initiatives to strengthen and foster trade in related goods and services, with respect for their fundamental value as an expression of diverse cultural identities.

We share an interest in promoting markets for all actors in the cultural field, including those for cultural and creative industries, within the legal framework agreed to by our governments, with a view to ensuring the preservation and promotion of the diversity of artistic and cultural expressions and contents.

We recognize the ability of states, consistent with international obligations, to adopt or maintain the measures they consider adequate to promote cultural diversity and to take into account the various needs of all actors in the cultural field, including cultural and creative industries, especially in the context of the process of economic liberalization.^{1/}

CULTURE AS A TOOL FOR INCLUSION, SOCIAL COHESION, AND THE FIGHT AGAINST POVERTY

We reaffirm the need to develop policies and programs in the cultural sector aimed at reducing poverty and social differences and at creating jobs.

We are convinced that culture is a factor in social cohesion that offers opportunities for advancement and sustainable economic development.

We recognize the role culture plays in all sectors of development, such as trade, the economy, education, science and technology, and tourism; and that this role must be taken into consideration when formulating sustainable development policies. We recognize the benefits of promoting creativity and the interests of cultural creators, including public recognition, the preservation and dissemination of their work, and the design of strategies in pursuit of the well-being of cultural creators.

We share the conviction that cultural expressions, manifestations, and traditions reflect our people's creative freedom and diversity. To that end, we will seek to take appropriate measures to promote creativity and the economic sustainability and freedom of creators.

1. The delegations of Argentina, Antigua and Barbuda, The Bahamas, Barbados, Guyana, Jamaica, Saint Kitts and Nevis, and Saint Lucia have entered reservations regarding this paragraph. Bolivia has entered a reservation exclusively regarding the phrase "*consistent with international obligations.*" Venezuela has entered a reservation exclusively regarding the phrase "*especially in the context of the process of economic liberalization.*"

We will seek to establish strategies, through closer regional cooperation, for promoting increased circulation of goods and services with cultural content among all countries of the region.

We recognize the need to strengthen the expression of our national, subregional, and hemispheric cultural diversity. We also acknowledge once more the importance of culture in the creation of opportunities for economic growth for a large sector of our populations, as well as in the promotion of their individual and collective expressions.

We value the input of civil society and encourage the implementation of cultural policies that involve civil society participation in the development of programs on poverty reduction and income generation, especially those targeted at the vulnerable and marginalized sectors of society.

We emphasize the need to include and prioritize, in the poverty reduction strategies undertaken by various countries of the Americas, cultural programs and projects geared toward the strengthening of all actors in the cultural field, including cultural and creative industries and micro-enterprises that create jobs and make local economies more dynamic.

We encourage member states to continue working towards salvaging, safeguarding, and disseminating intangible culture expressed in oral literature, festivals, gastronomy, and traditional arts, as factors that promote cultural diversity as well as wealth and identity.

We recognize that having a technical and political forum like the Inter-American Committee on Culture has allowed us to move on from aspirations and possibilities to concrete programs. In particular, we congratulate the Committee's officers for the excellent work they have carried out, and the OAS General Secretariat for its support.

We extend our sincerest thanks to the people and Government of Mexico for their hospitality, and to CONACULTA (*Consejo Nacional para la Cultura y las Artes*) for its excellent organization of the meeting's work, demonstrating once again Mexico's commitment to strengthening the cultural agenda of the Americas.

PLAN OF ACTION OF MEXICO

We, the ministers and highest government authorities responsible for cultural policy and for supporting cultural activities in the Americas, gathered in Mexico City under the auspices of the Organization of American States (OAS), acknowledge the progress achieved in implementing the joint initiatives undertaken in Cartagena de Indias, Colombia, in 2002, and value the important role of the Inter-American Committee on Culture (CIC) in following up on these initiatives; and we commit ourselves to implementing the following Plan of Action.

With respect to national commitments

1. Member states should conduct studies to examine the economic impact of culture, in areas such as the music industry and cultural tourism associated with cultural heritage, festivals, and the arts, among others, and submit these studies to the CIC. The CIC is to report on the conclusions of these studies at the Third Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities and recommend inter-American cooperation activities in this field.
2. Member states should work toward the development of cultural indicators capable of measuring the contribution of culture to the social and economic development of the countries of the Hemisphere, in particular in the fight against poverty and in job creation. Member states should share these results through the CIC to further cooperation in this area.
3. To urge member states to consider mechanisms for supporting job creation in the cultural sector through horizontal cooperation pilot projects aimed at developing management and commercial skills and to report on these initiatives at the next ministerial meeting on culture.
4. To urge member states to design educational and cultural policies and programs that will ensure an environment in which creative expression and cultural industries may flourish and in which our peoples, particularly the young, may strengthen their identities. In addition, to urge member states to take measures to generate public interest by encouraging artistic creativity. Member states shall report on these programs at the next ministerial meeting on culture.
5. To intensify inter-American cooperation in the identification, documentation, preservation, and appreciation of movable and immovable cultural resources vulnerable to pillage; and in efforts to fight illicit trafficking in and unauthorized possession of cultural objects, through existing mechanisms, including bilateral and multilateral agreements and treaties. Integral to fulfillment of the goals of such agreements are national and regional capacity-building efforts for professionals in heritage stewardship and law enforcement, and public education programs.
6. To design and implement public policies or programs geared toward educating and promoting our peoples' understanding of the benefits of intellectual property, as well as to increase awareness of traditional knowledge, popular culture, and folklore. To acknowledge the work carried out by the World Intellectual Property Organization (WIPO) in this area.

7. To continue strengthening regular consultative mechanisms, through the pertinent organs of the OAS, so as to ensure that civil society plays an active role in decisions on cultural policy and in the implementation of strategic programs at the hemispheric level.
8. Member states shall report on their activities pursuant to the items in this Plan of Action to the OAS General Secretariat six months prior to the next ministerial meeting on culture, in accordance with the guidelines to be drawn up by the CIC.

With respect to the Inter-American Committee on Culture

9. The Inter-American Committee on Culture (CIC) will be responsible for monitoring fulfillment of the commitments made in this Plan of Action. We acknowledge the excellent work carried out thus far by the Committee and by the Unit for Social Development and Education of the OAS, in its capacity as Technical Secretariat.
10. The CIC shall consider and review the recommendations submitted by civil society during this meeting and, where appropriate, undertake to implement those measures that are consistent with the Declaration and this Plan of Action.
11. To entrust the CIC with providing guidelines on the creation and compilation of a list of significant cultural heritage sites of the Americas to facilitate local and regional efforts to recognize, preserve, and protect these sites. This list will allow heritage sites to be considered in development schemes at the local and national levels.
12. To request the CIC to draw up a proposal for cooperation with UNESCO for a workshop on the UNESCO Universal Declaration on Cultural Diversity, before the 2005 session of the UNESCO General Conference.
13. To request that the CIC, with support from the Technical Secretariat, monitor the establishment of the Inter-American Culture and Development Foundation of the Inter-American Development Bank (IDB), with a view to determining potential areas of cooperation, such as:
 - Supporting interested OAS member states in the development of cultural satellite accounts^{2/} and providing, where appropriate, technical assistance in connection with indicators, through a partnership with the UNESCO Institute for Statistics.
 - Establishing a program to promote micro-, small, and medium-sized cultural enterprises.
 - Supporting the Inter-American Cultural Policy Observatory.

2. Cultural satellite accounts are conceptual frameworks geared toward determining the link between the economy and culture. They are part of national accounting systems, analyze the contribution of the cultural sector to the GDP, and are a means of developing a harmonious measurement system for the sector. There are two types of satellite accounts: (1) reorganization of the main classification of national accounts and introduction of additional components; and (2) expansion of consumption and production concepts and/or the scope of assets.

- Strengthening strategic alliances with governments, private institutions, and private enterprise, in support of cultural activities and industries.

With respect to the Technical Secretariat

14. To request the Technical Secretariat to develop the first phase of the Cultural Policy Observatory, funded by external contributions, which will be based on a virtual model and take existing observatories into account. Progress made during this first phase will be reported at the next meeting of the CIC, in 2005. We also request the Technical Secretariat to explore the possibility of establishing a partnership with the World Bank's Development Gateway Foundation (DGF), with the Observatory's autonomy remaining intact, and under the supervision of the CIC.
15. To request the OAS General Secretariat to continue strengthening the Strategy for Horizontal Cooperation and continue updating the Permanent Portfolio of Exemplary Programs in Culture with experiences that reflect the themes of this ministerial meeting, with special regard for the cultural wealth of the indigenous peoples and people of African descent, among other marginalized groups.
16. To request the Technical Secretariat to carry out expert workshops on the relationship between new technologies and cultural and creative industries and to develop skills in the use of these technologies.
17. To request the OAS General Secretariat to continue, in accordance with the Strategic Plan for Partnership for Development of the Inter-American Council for Integral Development (CIDI), to strengthen cooperative actions in support of this Plan of Action.

With respect to international agencies

18. To call upon international organizations and agencies to continue developing joint collaborative strategies to support, in a coordinated and efficient manner, implementation of this Plan of Action.
19. To request the Inter-American Development Bank and other international financial institutions to strengthen programs that promote micro-, small, and medium-sized cultural enterprises, in response to the commitment expressed at the Special Summit of the Americas and in partnership with the private sector.

AG/RES. 2085 (XXXV-O/05)

REPORT OF THE FIRST MEETING OF THE
INTER-AMERICAN COMMITTEE ON SOCIAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CIDI/RES. 160 (IX-O/04) and AG/RES. 1984 (XXXIV-O/04), “Inter-American Committee on Social Development”; and CIDI/RES. 172 (X-O/05), “Report of the First Meeting of the 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 (CIDES);

That, in the Declaration of Nuevo León of the Special Summit of the Americas, held in Monterrey, Mexico, in 2004, the Heads of State and Government recognized the urgency of strengthening OAS mechanisms for fighting poverty, such as CIDI, CIDES, 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 CIDES held its first meeting in Santiago, Chile, on April 5 and 6, 2004, the report of which was presented to CEPCIDI at its CVII Regular Meeting (CIDI/CIDES/doc.12/04); and

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

RESOLVES:

1. To acknowledge the efforts made by the Government of Chile to organize and hold the First Meeting of the Inter-American Committee on Social Development.

2. To take note of the report of the First Meeting of the Inter-American Committee on Social Development (CIDI/CIDES/doc.12/04).

3. To thank the Government of El Salvador for its offer to host the First Meeting of Ministers and High Authorities on Social Development.

4. To suggest to the sectoral authorities on social development that, in the course of the ministerial and technical meetings that they hold, they review the priorities for their area established in the Strategic Plan for Partnership for Development, in order to recommend any necessary changes.

5. To instruct the General Secretariat to continue, through the Executive Secretariat for Integral Development, supporting the process of preparation and follow-up of meetings in the social development sector.

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

AG/RES. 2086 (XXXV-O/05)

REPORT OF THE SECOND MEETING OF THE
INTER-AMERICAN COMMITTEE ON EDUCATION

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1985 (XXXIV-O/04) and CIDI/RES. 153 (IX-O/04), “Report of the Third Meeting of Ministers of Education within the Framework of CIDI,” and CIDI/RES. 173 (X-O/05), “Report of the Second Meeting of the Inter-American Committee on Education”;

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

TAKING INTO ACCOUNT:

That at the Third Meeting of Ministers of Education (Mexico City, August 11-13, 2003), the ministers agreed to hold the Second Meeting of the Inter-American Committee on Education (CIE);

That the Second Meeting of the Inter-American Committee on Education was held at OAS headquarters on October 18 and 19, 2004, with technical support from the Executive Secretariat for Integral Development, particularly its Office of Education, Science, and Technology, to follow up on the decisions adopted by the sectoral authorities and to prepare for the Fourth Meeting of Ministers of Education;

That, at that meeting, the Committee evaluated the progress and challenges in the projects on equity and quality, teacher training and secondary education, and labor competencies. It also analyzed the regional projects on educational indicators and evaluation of educational quality and the Inter-American Program on Education for Democratic Values and Practices, and received the results of the study “Strengthening Democracy in the Americas through Civic Education”;

That the Government of Trinidad and Tobago offered to host the Fourth Meeting of Ministers of Education within the Framework of CIDI, which is scheduled to be held on August 11 and 12, 2005; and

That the preparatory work for the Fourth Meeting of Ministers of Education is under way, a meeting of the authorities and the Executive Committee of the CIE having been held on February 15 and 16, 2005, and a preparatory meeting having been held on May 12 and 13, 2005, to which all delegations were invited; and

CONSIDERING the final report of the Second Meeting of the Inter-American Committee on Education (CIDI/CIE/doc.16/04) and the decisions it adopted,

RESOLVES:

1. To take note of the Final Report of the Second Meeting of the Inter-American Committee on Education (CIDI/CIE/doc.16/04) and the decisions it adopted.
2. To take note of the offer by the Government of Trinidad and Tobago to host the Fourth Meeting of Ministers of Education within the Framework of CIDI, to be held on August 11 and 12, 2005.
3. To take note of the progress made in the preparatory work for the Fourth Meeting of Ministers of Education; and to instruct the General Secretariat to continue, through the Executive Secretariat for Integral Development, to support the process of preparation and follow-up of meetings in the educational sector.
4. To request the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution.

AG/RES. 2087 (XXXV-O/05)

REPORT OF THE FIRST MEETING OF MINISTERS AND HIGH AUTHORITIES
ON SCIENCE AND TECHNOLOGY

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions CEPCIDI/RES. 100 (XCIX-O/04), which convoked the First Meeting of Ministers and High Authorities on Science and Technology; 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"; and CIDI/RES. 174 (X-O/05), "Report of the First Meeting of Ministers and High Authorities on Science and Technology";

CONSIDERING:

That the First Meeting of Ministers and High Authorities on Science and Technology was held on November 11 and 12, 2004, in Lima, Peru, with technical support from the Executive Secretariat for Integral Development (SEDI), particularly its Office of Education, Science, and Technology; and

The Final Report of the First Meeting of Ministers and High Authorities on Science and Technology (REMICYT-I/doc.11/04), which stressed the fundamental importance of science, technology, engineering, and innovation in the promotion of integral development among the countries of the Americas;

RECALLING that the General Assembly instructed the General Secretariat to provide, through SEDI, particularly its Office of Education, Science, and Technology, support for implementation of the mandates of the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI, as well as for the preparation and follow-up of other meetings in the area of science and technology; and

TAKING INTO ACCOUNT:

That on the occasion of the First Meeting of Ministers and High Authorities on Science and Technology, a technical seminar was held on "Financing and Priorities in Science and Technology in Latin America and the Caribbean," which was cosponsored by the Organization of American States, the Inter-American Development Bank, the Economic Commission for Latin America and the Caribbean, and the National Council of Science and Technology of Peru; and

That during the First Meeting of Ministers and High Authorities on Science and Technology a dialogue was held with civil society organizations and a ceremony took place to award prizes to young scientists from 15 member states,

RESOLVES:

1. To endorse the Declaration and Plan of Action adopted at the First Meeting of Ministers and High Authorities on Science and Technology, which are appended to this resolution; and to entrust the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) and the General Secretariat, through the Executive Secretariat for Integral Development (SEDI), particularly the Office of Education, Science, and Technology, with collaborating with the sectoral authorities in science and technology in carrying out the activities and the agreements agreed upon.

2. To recognize the effort put by the Government of Peru into organizing and holding the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI.

3. To underscore the importance of holding the technical seminar on “Financing and Priorities in Science and Technology in Latin America and the Caribbean” on the occasion of the Meeting of Ministers and High Authorities on Science and Technology, cosponsored by the Organization of American States, the Inter-American Development Bank, the Economic Commission for Latin America and the Caribbean, and the National Council of Science and Technology of Peru; and to instruct the General Secretariat to continue to carry out this type of activity.

4. To recognize the importance of the dialogue held with civil society organizations, as well as the awarding of prizes to young scientists of the Hemisphere; and to encourage the continued implementation of activities with the collaboration and support of the public and private sectors.

5. To instruct the General Secretariat to continue, through SEDI, supporting the process of preparation and follow-up of meetings in the science and technology sector.

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

DECLARATION OF LIMA

We, the ministers and high authorities on science and technology attending the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of the Inter-American Council for Integral Development (CIDI) of the Organization of American States, in Lima, Peru, on November 11 and 12, 2004, for the purpose of giving due importance to the incorporation of science, technology, engineering, innovation, and education as major driving forces behind the economic and social development of the countries of the Hemisphere and bearing in mind the cooperation principles set forth in the Charter of the Organization of American States and the actions which to this end were mandated by the Summits of the Americas, including the Summits of Punta del Este in 1967, Miami in 1994, Santiago in 1998, Quebec City in 2001, and Monterrey, Nuevo León, in 2004,

CONSIDER:

1. That science, technology, engineering, innovation, and education are fundamental to promoting the integral development of the countries of the Americas, which encompass the economic, social, educational, cultural, scientific, and technological fields, as well as job creation to combat poverty, in the framework of protection of the quality of the environment and integration of the gender perspective into policies, and to strengthen democracy.

2. That hemispheric cooperation is a fundamental instrument to address the needs of each country for building human and institutional capacity and infrastructure for scientific and technological research.

3. That support for hemispheric initiatives in science, technology, engineering, innovation, and education of common interest to the member states promotes solidarity and cooperation among them and contributes to the exchange of information on successful practices and experiences.

4. That given the wide disparity in science, technology, engineering, innovation, and education among the different countries of the Americas, it is critical to support those that are less developed in these areas, in order to promote their democratic integral development.

5. That the Strategic Plan for Partnership for Development 2002-2005 of CIDI, in which scientific capacity-building and the exchange of technologies are priority areas of action, identifies that “[t]he struggle against poverty and inequality, and especially the eradication of extreme poverty, are a common and shared responsibility of the member states and are essential factors in promoting and consolidating democracy. Furthermore, the need to achieve integral, equitable, and sustainable social and economic development continues to pose a daunting challenge to the Hemisphere.”

6. That the Inter-American Science and Technology Program (PRICYT) is a mechanism aimed at facilitating the formulation of development initiatives based on science and technology in the framework of CIDI.

7. That it is of the utmost importance to link these efforts with those of the Summits of the Americas, especially the one that will take place in 2005 in Argentina, which has as its theme the creation of jobs to fight poverty and strengthen democratic governance.

8. That it is fundamental to promote the development of science, technology, engineering, and innovation in cooperation and partnership with the private sector, particularly through the active use of information and communication technologies, as a means to significantly increase the level of investment in these areas.

9. That the value of the participation and contribution of civil society in scientific and technological development and in innovation should be recognized.

WE DECLARE THAT WE WILL JOIN EFFORTS TO:

1. Promote the sustained growth of investment in science, technology, engineering, and innovation in our countries, which should be integrated into our respective economic policies to achieve the economic and social well-being of the nations, including the participation of both the public and private sectors to strengthen the productive sector and basic services to improve the quality of life of our peoples, all within the framework of domestic sustainable development, taking into account the principles of solidarity, shared responsibility, and cooperation.

2. Endeavor to have all member states establish, by the year 2007, effective national policies in science, technology, engineering, and innovation, which are clearly integrated into economic and social policies, by the year 2007.

3. Work towards the wide acceptance and recognition of the fundamental importance of incorporating science, technology, engineering, and innovation in our nations as leading elements of their social and economic development strategy; and integrate and promote them in national and regional strategic development plans for the fundamental purpose of reducing poverty in the Hemisphere.

4. Support the establishment of national innovation systems oriented towards the productive sector, both public and private, to improve its competitiveness through the use of science and technology and of skilled human resources that promote the generation and dissemination of technological innovation, aiming for the integral development of our countries.

5. Foster the expansion of human and institutional capacities and infrastructure to undertake scientific and technological research in a framework of environmental protection, gender equity and equality, and openness to the interaction between the public and private sectors.

6. Strive to narrow the gap in scientific, technological, engineering, and innovative capacities among the different countries of the Americas, by supporting those less developed in these areas, through increased cooperation, *inter alia*, in capacity-building, technology transfer, research, and education.

7. Promote the harmonization and coordination of science, technology, engineering, and innovation programs implemented by various bilateral and multilateral organizations, in order to achieve the best results in the use of available resources.

8. Facilitate the greatest interaction possible between scientific and technological research communities by fostering the establishment and consolidation of advanced research networks and synergy among educational institutions, research centers, the public and private sectors, and civil society.

9. Promote applications of science, technology, engineering, and innovation as a means to increase social inclusion, especially of the most vulnerable groups; reduce poverty; and consolidate democracy in the countries of the region.

10. Encourage a social sciences approach to understanding and assimilating scientific and technological development in society, promoting a strong interaction between the natural and social sciences.

11. Support the creation at the OAS of an information and services program that supports science and technology (science and technology indicator network, geographic information systems, scientific databases) as a tool for formulating regional and national policies and programs and monitoring and measuring their social and economic impacts and their permanent dissemination.

12. Enhance science education, both formal and nonformal, to encourage the involvement of the entire population, and especially young people, in science, technology, engineering, and innovation activities aimed at promoting the economic and social development of the Americas, with the ultimate end of promoting careers in, and public understanding of, science.

13. Foster integral education, which includes continuing education for the adult population and emphasizes computer literacy, aimed at developing a labor force for the 21st century skilled in information and communication technologies.

14. Encourage the participation of all stakeholders in policy-making in the areas of science, technology, engineering, and innovation.

15. Implement the Lima Plan of Action and support the hemispheric initiatives in science, technology, engineering, innovation, and education of common interest to the member states as well as other initiatives conceived at bilateral and multilateral levels within the region, with special consideration given to those countries where the implementation of said initiatives would have the most impact and contribute to their development.

16. Support the holding of annual meetings of science, technology, engineering, and innovation commissions to follow up on the Declaration of Lima and its Plan of Action, and disseminate their national and hemispheric results and experiences.

PLAN OF ACTION OF LIMA

INTRODUCTION

The principles established in the Declaration of Lima and the shared view of the countries of the Hemisphere are expressed in specific lines of action for pursuing the development objectives agreed upon in the region and set forth in the Declaration of Cartagena, the Declaration of Nuevo León, and the agreements reached during the Fourth Regular Meeting of the Inter-American Committee on Science and Technology (COMCYT). Science, technology, engineering, and innovation are major driving forces that will help the countries to foster economic and social development in the cooperative framework provided in the Charter of the Organization of American States and the mandates established for that purpose at the Summits of the Americas in Miami, Santiago, Quebec City, and Monterrey. The principles adopted in the Declaration will serve as the foundation for partnership with governments and all interested parties on activities of interest to the Hemisphere, a group of countries, and individual countries, with the ultimate end of promoting social inclusion and fighting poverty.

The purpose of the Plan of Action is to promote the overall objectives set forth in the Declaration of Lima, recognizing the need to create jobs to fight poverty and strengthen democratic governance, promoting participation and shared responsibility on the part of the state, civil society, and political society, so as to achieve real progress in the vital task of integrating the countries and fostering social and economic development to improve the living standards of our peoples.

PLAN OF ACTION

We, the ministers and high authorities on science and technology participating in the First Meeting of Ministers and High Authorities on Science and Technology within the Framework of CIDI, recognize and approve the following hemispheric strategies and policy proposals for science and technology, which were recommended by COMCYT at its fourth regular meeting, and confirm our commitment to the following Plan of Action, which shall focus on the following seven commitments:

I. ENCOURAGING INVESTMENT IN SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

1. Investment

We recognize the priority role and the importance of science, technology, engineering, and innovation for the socioeconomic development of our countries. We support the commitment to a sustained allocation to those areas in the national budget and to promote the sustained growth of investment in science, technology, engineering and innovation.

2. Intellectual Property

We encourage the development of policies and the creation or strengthening of regulatory systems allowing scientists and the entrepreneurial sector to protect their innovations and develop

technology applications, with special attention to cutting-edge technologies, in order to improve living standards for our citizens and promote competitiveness.

3. Creation of Employment and Innovation

We encourage the use of technology as a national and hemispheric response to the challenges of social demands, since we believe that the high rates of unemployment in the Americas, together with the scarce opportunities available to its inhabitants to learn and be trained for decent employment, call for innovative practices in scientific and technical vocational education. We believe therefore that the public and private sectors should promote innovation and participate intensively in providing good basic technical training, to create new businesses and jobs.

II. STRENGTHENING NATIONAL AND REGIONAL INFRASTRUCTURE

1. Strengthening the Scientific Community and Scientific Institutions at the National and Regional Levels

We will strengthen the scientific community and scientific institutions at the national and regional levels, fostering participation by universities, by national academies of science, medicine, and engineering, and by science and technology associations, including youth science organizations, in pursuing this goal.

2. Promoting the Development of Information and Telecommunications Technology Infrastructure for Scientific Research and Education (Cyberinfrastructure, E-science)

We foster the improvement and expansion of national and regional infrastructure—human resources, networks, software, computer and archival resources, digital libraries and information management systems and services, scientific databases, digital geographic information, instruments, sensors, and laboratories of the Americas—to allow the region's countries to participate in advanced, global research projects and in the world economy.

We promote and support the development of telecommunications, advanced networks, and information infrastructure that includes digital information management systems in the region, as well as the creation of national and regional policies and programs for digital government or e-government, so as to propel the countries of the region toward competitive, knowledge-based economies; facilitate access to science and technology resources; strengthen the areas of science, health, and education; and strengthen essential economic and social activities, maintaining and promoting cultural diversity.

3. Identifying Centers of Excellence for Training and Research in the Region

We will identify and develop national and regional centers of excellence as reference points to facilitate cooperation in research and researcher training throughout the region.

4. Promoting Development Clusters and Business Associations

We encourage business associations, at the national and multinational levels, to use different cooperative approaches, such as networks, development groups, and worker participation in innovation, to improve competitiveness and the quality of life of our peoples.

5. Developing National Institutional Infrastructure

We will devise policies to strengthen the development of adaptable, flexible institutions capable of: recognizing the ability of science, technology, engineering, and innovation to increase the competitiveness of the productive sectors; adapting their innovation models to respond to public and private sector requirements; creating networks to generate and coordinate the knowledge these sectors require; and mainstreaming the gender perspective into their activities. Science, technology, engineering, and innovation should be viewed not as an expenditure, but as an investment.

6. Promoting Industrial Development and the Transfer of Technology

We encourage the development of innovation centers and “startups” and mechanisms for technology transfer to promote industrial development in close association with research and development institutions, following best practices.

7. Promoting Shared Infrastructure and Laboratories

We encourage the establishment of shared laboratory infrastructure that promotes research and horizontal cooperation, linked with metrology, biotechnology, materials science, and nanotechnology, and other relevant areas to provide access for the region’s less developed countries.

8. Promoting the Development of Geographic Information Systems and Services for All

We promote the sustainable production, availability, access, and application of standardized digital data and geographic information to assist both policy formulation and decision-making processes, to support research and scientific processes, and to disseminate science and knowledge to the general public.

III. STRENGTHENING NATIONAL, REGIONAL, AND HEMISPHERIC POLICIES

1. Formulating National Strategies and Policies in Each Member State

We will formulate, as appropriate, national policies and strategies in our respective states to develop science, technology, engineering, and innovation in accordance with our needs and in relation to our main endeavors, in consultation with the other major stakeholders, with the year 2007 set as a goal for the OAS member states.

2. Encouraging Support for Countries with a Science and Technology Gap

We will focus our efforts on responding to the needs and expectations of our countries, promoting horizontal collaboration and cooperation in science and technology and encouraging partnerships, taking into account our diversity and different levels of development in science and technology, with the ultimate aim of reducing existing gaps.

3. Encouraging Collaborative Research Projects That Promote South-South and North-South Interactions

We will develop regional initiatives related to programs and projects for bilateral and multilateral collaboration in specific areas that could be improved, expanded, adapted to other countries, and publicized.

4. Science and Technology to Promote and Expand Democracy

We support and promote the application of science and technology and related information services as one of the means for democracy-building, so that all citizens may participate actively in informed decision-making and oversee the implementation of those decisions, which will contribute to the development of appropriate mechanisms for the inclusion of marginalized and underprivileged groups.

IV. STRENGTHENING AND DISSEMINATING SCIENCE, TECHNOLOGY, ENGINEERING, INNOVATION, AND SCIENTIFIC EDUCATION

1. Importance of Hemispheric Cooperation to Popularize Science and Technology

We foster the popularization of science and technology and of science education, which have a central role in the socioeconomic, cultural, and environmental development of our countries. To that end we promote the establishment of a hemispheric program that coordinates strong and effective action among countries and permits the expansion of efforts to improve the population's scientific and technical literacy.

2. Education and Human Resource Training to Increase Capabilities in Science, Technology, Engineering, and Innovation

We will work to achieve advanced training with graduate-level scholarship programs in multidisciplinary studies and subjects closely related to the problems of our countries—given that human resource training is one of the essential components in strengthening science and technology capabilities—with special attention to those countries that have the widest science and technology gap. In this endeavor, we encourage building upon existing programs, such as the OAS scholarship programs.

We will favor the establishment of science education programs for all citizens, starting with early education, using innovative, collaborative approaches to promote creativity and critical thinking.

3. Gender Equity and Equality in Capacity-Building

We promote gender equity and equality in all human resource training programs for science and technology development, giving the highest priority to improving the quality of science and technology education at all levels, with particular attention to eliminating the effect of gender bias and promoting creativity and a critical point of view at all levels, especially at the earliest stages.

V. STRENGTHENING PROGRAMS FOR SCIENCE AND TECHNOLOGY INDICATORS, DATABASES, PORTALS, PUBLICATIONS, AND SCIENTIFIC JOURNALS

We will work to create a regional science and technology indicators program, taking into consideration the existing experiences in the Hemisphere, and recognizing the importance of assessing the social impact of national and regional science and technology development programs. We also promote the formulation of sectoral indicators in the various areas of science and engineering.

We will work to expand regional information networks, databases, portals, and the dissemination and cataloguing of web-based scientific journals and publications, which strengthen science, technology, and innovation, to make them available and affordable to all countries in the region.

VI. HEMISPHERIC INITIATIVES

We strengthen our commitment to support concrete hemispheric initiatives aimed at the development and implementation of topics of interest to all member states, including *inter alia* the following:

1. “Recommendations for Integrating a Gender Perspective in Science and Technology Policies and Programs in the Americas”

Develop the necessary actions to integrate the gender perspective in science and technology policies and programs of the member states, in order to achieve full participation by women and men. Women and men should be equal partners in the design, production, and sharing of the benefits of the knowledge society.

2. “Engineering for the Americas”

Build local engineering capacity to create knowledge that ensures the solution of local needs and affords the opportunity to compete globally. Engineering excellence is a key ingredient in the application of science and technology to solving the world’s economic and social problems and achieving economic growth.

3. “Inter-American Materials Collaboration through the Inter-American Materials Collaboration (CIAM) Programs”

Support collaboration for joint research in materials and nanotechnology, strengthening the coordinated multi-agency program CIAM and its efforts to expand networking among scientists in participating countries in the Americas.

4. “National Research and Education Networks (NRENs) in the Americas, and Latin American Advanced Networks Cooperation (CLARA)”

Develop advanced networks and infrastructure to interconnect human capacities, specialized resources and shared laboratories, sensors and instruments, databases, and their research organizations to strengthen education, science and technology, and health in the Americas in the 21st century, using existing mechanisms such as the CLARA project.

5. “Global Change Research through the Inter-American Institute for Global Change Research (IAI)”

Support the strengthening of the Inter-American Institute for Global Change Research (IAI), recognizing the importance of developing the capacity for understanding the integrated impact of global change on regional and hemispheric environments in the Americas; and promote collaborative research and informed action at all levels.

6. “Inter-American Program of Indicators for Science, Technology, and Innovation”

Support the creation of a regional program on science and technology indicators, utilizing the current mechanisms of cooperation of the Ibero-American/Inter-American Network on Science and Technology Indicators (RICYT); recognize the importance of measuring the differentiated social impact of national and regional science and technology programs for development; and promote the formulation of sectoral indicators, taking into account disaggregation by sex.

7. “Popularization of Science”

Support programs and activities to strengthen public understanding of science, at both the national and regional levels, recognizing the critical role that the popularization of science and technology plays in the socioeconomic, cultural, and environmental development of the countries of the Americas.

8. “Geographic Spatial Information for Integral Development in the Americas”

Promote and consolidate the renovated role of geographic information systems for the integral development of the Hemisphere; and facilitate projects that stimulate geographic information services as a basis for planning and decision-making in our countries.

9. “Legal Metrology for the Caribbean”

Support the creation of a reliable metrological infrastructure for the Caribbean countries, composed of good standards, calibration services, testing laboratories, quality control systems, and recognized certification, to overcome technical barriers to trade and facilitate their more efficient integration into the global market economy.

10. “Advanced Networking for the Caribbean Region”

Support the establishment of advanced networks in the Caribbean region with interconnections through Central America and the other countries of the Hemisphere, recognizing that networking and information infrastructure is a critical vehicle for propelling countries of the region into competitive knowledge-based economies. This will enhance projects such as Latin American Advanced Networks Cooperation (CLARA).

11. “Scientific Education with Support from the Inter-American Network of Academies of Science (IANAS)”

Support science education initiatives in the Americas, in particular the Inter-American Network of Academies of Sciences (IANAS) Inquiry-Based Science Education (IBSE), through which our peoples can understand the importance of scientific endeavor for their cultural and socioeconomic development. Science education is the most important way in which national societies of all countries learn about science and its values, concepts, and objectives.

12. “Biotechnology for the Americas”

Stimulate the formulation of a biotechnology program for the Americas that allows the countries of the region to increase their commitment to research and development and establish collaborative efforts at the hemispheric level, develop human resources and infrastructure, and establish a legal framework for biotechnological development. Special attention will be given to the application of biotechnology in tropical agriculture in order to enhance the nutrition of staple foods.

13. “Digital Government in the Americas”

Support a collaborative regional initiative in digital government that would permit the active development and application of science and technology for the implementation of digital government activities, in order to facilitate reductions in public expenditures and improved services to citizens; promote interagency and intercountry data sharing for economic, social, scientific, and technological development; and enable governments to benefit from and enhance each other’s digital automation efforts.

14. “Databases, Portals, Publications, and Scientific Journals”

Support the expansion and dissemination of regional information networks, databases, portals, and catalogues of Internet-based magazines and scientific publications that

can strengthen the management of scientific and technological activity and of innovation, such as the ScienTI Network (International Network of Information and Knowledge Sources for Science, Technology and Innovation Management), Platform Lattes of Brazil, INFOCYT Network (Information Network on Science and Technology for Latin America and the Caribbean), SciELO (Scientific Library Online), and Latindex (Regional Information System for Online Scientific Periodicals of Latin America, the Caribbean, Spain and Portugal), in order to make them available in other countries of the region.

15. “Productive Competitiveness and Employment for the Americas”

Support the implementation of a program of productive competitiveness and employment for the region, with a social and labor agenda.

VII. FOLLOW-UP TO THE MEETINGS OF MINISTERS AND HIGH AUTHORITIES ON SCIENCE AND TECHNOLOGY

1. The governments, through their ministers and high authorities on science and technology, will continue to meet periodically to enhance and devise new forms of cooperation and understanding among the countries of the Americas, strengthening the hemispheric framework of institutions and conveying those suggestions to the Summits of the Americas process.
2. The governments reiterate the commitment assumed during the meeting of ministers and high authorities responsible for science and technology, held in Cartagena de Indias, to hold ministerial meetings at least every three years and COMCYT meetings every year.
3. The governments will have the primary responsibility for implementing the mandates set forth in the Declaration and Plan of Action of the Ministerial Meeting. The Inter-American Committee on Science and Technology will continue to act as liaison to all government organizations involved in the fulfillment of the Declaration and the Plan of Action, in keeping with the activities supported by the OAS Summits of the Americas Secretariat.

The governments will invite the organizations of the inter-American system, including the Inter-American Development Bank (IDB), and the World Bank, *inter alia*, as well as other cooperation agencies, to strengthen existing agreements to promote science and technology development in the Hemisphere through cooperation and mutual support, with the aim of complementing specialized technical knowledge and thus making more financial resources available for more ambitious projects. Support will be sought from private-sector and civil society organizations.

AG/RES. 2088 (XXXV-O/05)

XIV INTER-AMERICAN CONFERENCE OF MINISTERS OF LABOR

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolutions AG/RES. 1986 (XXXIV-O/04) and CIDI/RES. 159 (IX-O/04), “Report of the XIII Inter-American Conference of Ministers of Labor”; and CIDI/RES. 170 (X-O/04), “XIV Inter-American Conference of Ministers of Labor”;

CONSIDERING:

That at the Third Summit of the Americas, held in Quebec City in 2001, the Heads of State and Government reaffirmed the fundamental importance of the Inter-American Conference of Ministers of Labor (IACML);

That the dialogue of Ministers of Labor at the XIII IACML focused on the labor situation in the Hemisphere and current challenges, the relationship between economic and labor policies, and corporate social responsibility; and

That the theme of the Fourth Summit of the Americas, to be held in Mar de Plata, Argentina, on November 4 and 5, 2005, is “Creating Jobs to Fight Poverty and Strengthen Democratic Governance,” which means that the dynamics of the IACML are especially relevant;

TAKING INTO ACCOUNT:

That the XIII Inter-American Conference of Ministers of Labor, held in Salvador, Bahia, Brazil, welcomed the offer by Mexico to host the XIV Inter-American Conference of Ministers of Labor;

That as part of the follow-up process to the XIII IACML and in preparation for the XIV IACML, a planning meeting was held in Washington, D.C., on January 31 and February 1, 2005, with the participation of the member countries of the “troika”; the coordinators of the working groups of the Conference; and representatives of the International Labour Organization (ILO), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), and the advisory bodies of the IACML: the Trade Union Technical Advisory Council (COSATE) and the Permanent Executive Committee of the Business Technical Advisory Committee on Labor Matters (CEATAL);

That, on March 7 and 8, 2005, a Workshop on Innovation and Decent Employment was held in Buenos Aires, Argentina, for the labor unions and employer associations of the Hemisphere, represented in the advisory bodies of the IACML, the conclusions of which were presented to the XXXVII Meeting of the Summit Implementation Review Group (SIRG) and will also be presented to the XIV IACML;

That the working groups of the IACML met from April 11 to 13, 2005, in Buenos Aires, Argentina, to define the scope and content of the reports they will present to the XIV IACML, which will be used as inputs for the draft Declaration and Plan of Action;

That the technical preparatory meeting for the XIV IACML will be held on July 13 and 14, 2005, in Mexico, to seek agreements on the draft Declaration and Plan of Action, approve the final versions of the reports of the working groups, and finalize the language used in the component on labor and employment, which will then be transmitted to the Fourth Summit of the Americas, through the SIRG; and

That the member states have been carrying out important work, with support from the General Secretariat, to follow up on the XIII IACML and to prepare for the XIV IACML,

RESOLVES:

1. To take note of the offer by the Government of Mexico to host the XIV Inter-American Conference of Ministers of Labor (IACML), on September 26 and 27, 2005, whose theme is "People and their work at the heart of globalization."

2. To acknowledge the particular importance of the holding this year of the XIV IACML, since the keynote theme of the Fourth Summit of the Americas, to be held in Mar de Plata, Argentina, on November 4 and 5, 2005, is the creation of jobs to fight poverty and strengthen democratic governance; and to recommend to the Summit Implementation Review Group (SIRG) that it take the conclusions of that conference into account during the preparatory process for the Summit.

3. To instruct the General Secretariat to continue supporting, through the Executive Secretariat for Integral Development, the process of preparation for and follow-up of meetings in the labor sector and to report periodically to the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) on that process.

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

AG/RES. 2089 (XXXV-O/05)

XIX INTER-AMERICAN TRAVEL CONGRESS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

That the XVIII Inter-American Travel Congress (IATC), held in Guatemala in June 2003, provided a valuable opportunity for dialogue on the “New Challenges of the Tourism Sector and Hemispheric Responses to Sustain Recovery and Growth”;

That at the XVIII Inter-American Travel Congress the Government of Peru confirmed the offer it had made during the previous Congress to host the XIX Inter-American Travel Congress;

That the Government of The Bahamas offered to be the site for the following Congress, or the alternate site for the XIX Congress, on the condition that it be given at least two years’ notice before the date of the event so that enough time would be available for promoting and organizing it;

That at its thirty-fourth regular session the General Assembly, through resolution AG/RES. 1987 (XXXIV-O/04), endorsed the Declaration of Guatemala City and the Plan of Action for Sustainable Tourism Development in Collaboration with the Private Sector, and requested the Inter-American Council for Integral Development (CIDI) to report to the General Assembly at its thirty-fifth regular session on the implementation of that resolution;

TAKING INTO ACCOUNT:

The contributions of small tourism enterprises to the generation of employment and their growing economic and social importance, particularly in the smaller economies of the Hemisphere; and

The impact that the application of Internet and information and communication technology services is having on the development of small tourism enterprises in areas such as training, marketing, and banking; and

HAVING SEEN the document submitted by the General Secretariat “Summary Description of Ongoing Programs and Activities in the Tourism Area: Report to the General Assembly pursuant to Resolution AG/RES. 1987 (XXXIV-O/04)” (CIDI/doc.10/05),

RESOLVES:

1. To take note of the progress made in the implementation of the Plan of Action for Sustainable Tourism Development in Collaboration with the Private Sector.

2. To take note of the offer made by the Government of Peru to host the XIX Inter-American Travel Congress, as well as of the offer made by the Government of The Bahamas to provide an alternate venue for said Congress.

3. To instruct the General Secretariat to continue supporting the efforts of the member states to achieve sustainable tourism in the Americas, particularly as they relate to the development of small tourism enterprises and to their utilization of Internet-based services and electronic tools to strengthen their competitiveness in the global economy.

4. To request the General Secretariat to facilitate the coordination of activities and exchange of information among member states so as to organize the XIX Inter-American Travel Congress as a high-level hemispheric meeting involving tourism authorities of the member states of the Organization and representatives of the private sector.

5. To recommend that the agenda for the event address issues related to the strengthening of tourism as a hemispheric development tool and in particular the role of small tourism enterprises in the generation of employment and overall sector competitiveness and growth.

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

AG/RES. 2090 (XXXV-O/05)

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 7, 2005)

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), AG/RES. 1978 (XXXIV-O/04), 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), CIDI/RES. 141 (IX-O/04), and CIDI/RES. 177 (X-O/05), 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. 2091 (XXXV-O/05)

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

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 6);

TAKING INTO ACCOUNT 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 the decision of the member states to hold the Fourth Summit of the Americas in Mar del Plata, Argentina, on November 4 and 5, 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, and that, at its meeting of July 31, 2002, the Permanent Council decided to merge it with the Committee on Civil Society Participation in OAS Activities, thereby creating the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) in order 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;

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 of the Summits of the Americas Secretariat;

RECALLING that the Declaration of Quebec City recognized 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 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), the Central American Bank for Economic Integration (CABEI), the Institute for Connectivity in the Americas

(ICA), the International Organization for Migration (IOM), and the International Labour Organization (ILO);

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

RECOGNIZING 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 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 (CIDI), and the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities.

4. To request the General Secretariat to continue serving, through the Summits of the Americas Secretariat, 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, supporting the follow-up and dissemination of mandates as well as the preparation and technical coordination of the Fourth Summit of the Americas and offering to help member states implement the mandates assigned in its Plan of Action and those of future Summits.

5. To instruct the Permanent Council to continue promoting and facilitating civil society participation in the Summits of the Americas process and in topics assigned to the OAS by said 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 Summits of the Americas Secretariat:

- a. Present a report to the Summit Implementation Review Group (SIRG) on 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 Mar del Plata, Argentina, on November 4 and 5, 2005; 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 present, through the Summits of the Americas Secretariat, a report to the SIRG on fulfillment and follow-up of the commitments contained in the Quebec City Plan of Action and the Declaration of Nuevo León.

8. 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.

9. To request the General Secretariat to make efforts, through the Summits of the Americas Secretariat, 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.

10. To request the General Secretariat to strengthen the Summits of the Americas Secretariat 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.

11. 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.

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

13. To request the General Secretariat to submit to the Permanent Council, through the Summits of the Americas Secretariat, systematic and detailed information on the budgetary and financial management of said Specific Fund.

14. To instruct the General Secretariat to report to the Permanent Council, prior to the thirty-sixth regular session of the General Assembly, on the implementation of this resolution.

AG/RES. 2092 (XXXV-O/05)

INCREASING AND STRENGTHENING CIVIL SOCIETY PARTICIPATION IN OAS
ACTIVITIES AND IN THE SUMMITS OF THE AMERICAS PROCESS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 6);

TAKING INTO ACCOUNT resolution AG/RES. 1991 (XXXIV-O/04), "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;

TAKING INTO ACCOUNT ALSO 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 that the Summits of the Americas process encourages full participation by civil society and that, in the Declaration of Nuevo León, the Heads of State and Government undertook to institutionalize meetings with civil society and with the academic and private sectors;

CONSIDERING ALSO that Article 6 of the Inter-American Democratic Charter states that "[i]t 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";

NOTING 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 of member states, the Secretary General, 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);

NOTING WITH SATISFACTION the recommendations and the dialogue stemming from the special meeting of the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities held on January 25, 2005, which included ample participation by civil society organizations of the Hemisphere;

RECOGNIZING the importance of participation by civil society organizations in strengthening democracy in all member states and the significant contribution they can make 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 procedures and existing regulations at the national level regarding consultations with civil society in the formulation and definition of government policies, 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 renew its request to the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities, with the active participation of the Summits of the Americas Secretariat, to prepare a report on the results achieved to date with respect to civil society participation in the Summits process and in OAS activities, incorporating the views of registered

organizations with respect to access to information, transparency of the mechanisms for participation, and means of participation.

6. To encourage the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities to study models for civil society participation developed by other regional organizations, in order to draw best practices which could be applied to the OAS and the Summits of the Americas process.

7. To renew its invitation to all member states and to 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 the Secretary General and with representatives of civil society organizations.

8. To continue to urge member states to:

- a. Participate in the dialogue of heads of delegation with representatives of civil society organizations in the context of General Assembly sessions and in the Summits process; and
- b. Continue their efforts, both domestically and multilaterally, to expand opportunities for participation by civil society organizations in OAS activities and in the Summits process.

9. To recognize the efforts of the countries hosting the thirty-fifth regular session of the General Assembly and the Fourth Summit of the Americas to work with the General Secretariat and with civil society organizations to facilitate and help organize civil society participation in the dialogue of heads of delegation and in preparations for the Fourth Summit, in accordance with the provisions of resolution CP/RES. 840 (1361/03); and to encourage future hosts to continue and build on these traditions.

10. 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.

11. 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.

12. To instruct the General Secretariat to report to the Permanent Council before the thirty-sixth regular session of the General Assembly on the implementation of this resolution.

AG/RES. 2093 (XXXV-O/05)

MEETING OF MINISTERS AND HIGH-LEVEL AUTHORITIES
RESPONSIBLE FOR POLICIES ON DECENTRALIZATION,
LOCAL GOVERNMENT, AND CITIZEN PARTICIPATION
AT THE MUNICIPAL LEVEL IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Permanent Council on the implementation of resolution AG/RES. 1994 (XXXIV-O/04), "Support for and Follow-up to the Summits of the Americas Process" (AG/doc.4376/05 add. 6);

REAFFIRMING its 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) and those undertaken in the Declaration of Nuevo León (2004), 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); and resolution AG/RES. 1993 (XXXIV-O/04), "Mexico City Plan of Action on Decentralization and Strengthening of Municipal and Regional Administrations and Citizen Participation";

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";

WELCOMING the holding in Mexico City, in September 2003, of the Second Meeting of Ministers and High-Level Authorities Responsible for Policies on Decentralization, Local Government, and Citizen Participation at the Municipal Level in the Hemisphere, in fulfillment of resolution AG/RES. 1901 (XXXII-O/02), and the results of that hemispheric meeting;

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

RECOGNIZING the work of the Office for the Promotion of Democracy of the OAS General Secretariat, as technical secretariat of the RIAD, and of 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 reiterate its firm support for the objectives established by the ministers and high-level authorities in their Mexico City Plan of Action on Decentralization and Strengthening of Municipal and Regional Administrations and Citizen Participation.

2. To continue to implement the Mexico City Plan of Action, considering each country's national context and its stage of decentralization, by following the strategic guidelines established in resolution AG/RES. 1993 (XXXIV-O/04).

3. To note with interest the establishment of the Technical and Financial Support Group, coordinated by the Office for the Promotion of Democracy of the OAS General Secretariat's Department of Democratic and Political Affairs in its capacity as technical secretariat of the High-Level Inter-American Network on Decentralization, Local Government, and Citizen Participation (RIAD), to ensure the necessary resources for implementation of the Mexico City Plan of Action; and to urge that the Group's activities be strengthened, identifying activities, experiences, needs, and the possible contributions of members to the fulfillment of RIAD objectives.

4. To note with satisfaction the subregional activities and the thematic meeting on federal systems, conducted pursuant to the Mexico City Plan of Action with a view to transmitting reports to the General Assembly and the Fourth Summit of the Americas, as well as the progress made in establishing basic parameters and frames of reference to facilitate comparison of experiences, systematic organization of results, and orientation of decentralization policies through the RIAD.

5. To urge the chair and vice chair pro tempore of the RIAD, with support from its four assistant vice chairs and from the OAS Office for the Promotion of Democracy, in its capacity as technical secretariat, to follow up on the activities and 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 Summits of the Americas Secretariat.

6. To urge the members of the RIAD to strengthen the Network as an instrument for multilateral cooperation to support the processes of development and democratic governance in the region.

7. To thank the Government of Brazil for its offer to host the Third Meeting of Ministers and High-Level Authorities Responsible for Policies on Decentralization, Local Government, and Citizen Participation at the Municipal Level in the Hemisphere, 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-sixth regular session.

AG/RES. 2094 (XXXV-O/05)

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 7, 2005)

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.4376/05 add. 5);

HAVING SEEN the resolution of the Permanent Council entitled “Adoption of the Methodology and Formation and Convocation of the CIFTA-CICAD Group of Experts to Prepare Model Legislation on the Areas Covered by the CIFTA” [(CP/RES. 884 (1484/05)], adopted pursuant to operative paragraphs 4 and 5 of resolution AG/RES. 1999 (XXXIV-O/04);

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 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 sharing 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, in the Declaration of Nuevo León, adopted on January 13, 2004, the democratically elected Heads of State and Government of the Americas, gathered for the Special Summit of the Americas in Monterrey, Mexico, expressed 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, 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 ALSO 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 so as to prevent their diversion through illicit channels and their proliferation; and that they also decided to strengthen 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), AG/RES. 1972 (XXXIII-O/03), and AG/RES. 1999 (XXXIV-O/04), regarding the CIFTA;

CONSIDERING the substantial progress made by the Consultative Committee of the CIFTA, especially the decisions adopted at its sixth regular meeting, held on April 14 and 15, 2005;

HAVING SEEN the report of the Secretary General on the status of signatures and ratifications of the CIFTA; and taking note of the fact that this Convention has been signed by 33 member states of the OAS and ratified by 26 of them, which means that four additional states have ratified it in the past 12 months; and

REAFFIRMING the importance of the soonest possible entry into force of the CIFTA in all member states in order to facilitate and guarantee the achievement of its purposes throughout the Hemisphere,

RESOLVES:

1. To urge all member states that have not already done so to give prompt consideration to ratifying or acceding to, 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 endorse Permanent Council resolution CP/RES. 884 (1484/05), "Adoption of the Methodology and Formation and Convocation of the CIFTA-CICAD Group of Experts to Prepare Model Legislation on the Areas Covered by the CIFTA."

3. To note with satisfaction the 2005-2006 Work Program of the Consultative Committee of the CIFTA, approved by said Committee at its sixth regular meeting; and to congratulate it on adopting methodologies to facilitate the preparation and presentation of the reports of the states party and to help formulate a recommendation as to how the Consultative Committee can strengthen monitoring of implementation of the Convention, and on its decisions to draw up a Subdirectory of Operational Points of Contact for tracing firearms and establishing a secure network for the exchange of confidential information among those operational points of contact.

4. To reaffirm its support for the holding of the first meeting of national authorities directly responsible for granting the authorizations or licenses for the import, export, or transit of firearms, to be held, within the framework of the Consultative Committee of the CIFTA, on October 6 and 7, 2005, at OAS headquarters, in Washington, D.C.

5. To invite the states party to the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) to take an active part in the Second Meeting of Central Authorities and Other Experts on Mutual Legal Assistance in Criminal Matters and Extradition within the framework of REMJA, to be held shortly in the city of Brasilia, Brazil, and in that framework to agree on the procedures required for fulfillment of the commitments referred to in paragraphs 9 and 10 of the Declaration of Bogotá.

6. To support the initiative by the Consultative Committee of the CIFTA to participate, through its Secretariat pro tempore, in the Second Biannual Meeting to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held from July 11 to 15, 2005, at United Nations headquarters in New York.

7. To invite the Consultative Committee of the CIFTA to continue reporting periodically to the Committee on Hemisphere Security of the Permanent Council on progress in the fulfillment of the Declaration of Bogotá, so that said Committee may take such information into account when preparing coordinated strategies and integrated action plans in connection with the new threats, concerns, and other challenges to hemispheric security.

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 direct that the meetings of the Consultative Committee of the CIFTA, including those held for the purposes envisaged in operative paragraphs 2 and 4 of this resolution, be held within the resources allocated in the program-budget of the Organization and other resources; and to request the General Secretariat to provide the necessary administrative and technical secretariat support for these purposes.

10. To invite the states party to the CIFTA and the international community to make voluntary contributions to the Consultative Committee of the CIFTA in order to support the activities established in that Committee's Work Program pursuant to the Declaration of Bogotá.

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

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

AG/RES. 2095 (XXXV-O/05)

MEETING OF THE PERMANENT COUNCIL WITH REPRESENTATIVES
OF THE LEGISLATURES OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

AWARE 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 states that one of its essential purposes is to “promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

CONSIDERING

That the Inter-American Democratic Charter states: “The effective exercise of representative democracy is the basis for the rule of law and of the constitutional regimes of the member states of the Organization of American States. 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”;

That the fourth preambular paragraph 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)] recognizes that “democratic governance requires the responsible participation of all social actors in building the necessary consensus to strengthen our democracies”;

TAKING INTO ACCOUNT that resolution AG/RES. 2045 (XXXIV-O/04), “Program for Democratic Governance in the Americas,” includes the appendix “Guidelines for the ‘Program for Democratic Governance in the Americas’”;

RECOGNIZING the importance of legislatures as one of the basic institutions of representative democracy;

RECALLING that resolution AG/RES. 2044 (XXXIV-O/04), “Promotion and Strengthening of Democracy,” gives a mandate to the General Secretariat, through the Unit for the Promotion of Democracy (UPD)—now Office for the Promotion of Democracy (OPD)—to continue to provide support to the efforts of legislative bodies to promote modernization and strengthening of legislatures;

TAKING INTO ACCOUNT that one of the strategic programs of the Office for the Promotion of Democracy of the Department of Democratic and Political Affairs is the “Program to Support the Strengthening of Legislative Institutions”; and

CONSIDERING that it would be beneficial to promote an increased exchange of information between the Permanent Council and the legislatures of the Americas on efforts of the Organization of

American States to strengthen democratic institutions, modernize parliaments, and encourage cooperation and interparliamentary dialogue,

RESOLVES:

1. To invite, through the permanent missions of the member states, the presidents or speakers of the national legislative institutions of the Americas, i.e., congresses, parliaments, or national assemblies, as well as representatives of regional and subregional parliamentary institutions, to attend a special meeting with the Permanent Council, to be held during the second half of 2005, for the initiation of a dialogue on topics on the hemispheric agenda.

2. To instruct the Permanent Council to prepare the agenda for this meeting, taking into consideration the “Guidelines for the ‘Program for Democratic Governance in the Americas’” [AG/RES. 2045 (XXXIV-O/04)] and other criteria it may consider relevant.

3. To instruct the General Secretariat to organize, through the Office for the Promotion of Democracy (OPD), the meeting mentioned in this resolution, in accordance with resources assigned in the program-budget of the Organization and other resources.

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

AG/RES. 2096 (XXXV-O/05)

APPOINTMENT OF WOMEN TO SENIOR MANAGEMENT POSITIONS AT THE OAS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Secretary General in compliance with Resolution AG/RES. 1790 (XXXI-O/01), "Appointment of Women to Senior Management Positions at the OAS" (CP/doc.4031/05);

BEARING IN MIND Article 137 of the Charter of the Organization of American States, 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; and Article 120 of the Charter and Article 41 of the General Standards to Govern the Operations of the General Secretariat of the Organization, 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;

CONSIDERING that, in its resolutions AG/RES. 1627 (XXIX-O/99), AG/RES. 1790 (XXXI-O/01), AG/RES. 1872 (XXXII-O/02), AG/RES. 1954 (XXXIII-O/03), and AG/RES. 1977 (XXXIV-O/04), "Appointment of Women to Senior Management Position 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 grade levels, women's empowerment, and their equal opportunity to exercise leadership;

REAFFIRMING ALSO that the Declaration of Nuevo Leon 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, taking their diversity into account, 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;

EMPHASIZING THE IMPORTANCE of the need to effectively integrate gender balance considerations throughout the human resources management policies of the OAS;

BEARING IN MIND the report of the Committee on Administrative and Budgetary Affairs transmitting recommendations with regard to the final report of the Deloitte & Touche study of the operations of the General Secretariat (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";

BEARING IN MIND ALSO that the election of a new Secretary General and of a new Assistant Secretary General afford a further opportunity for achieving a gender balance in the distribution of General Secretariat personnel;

HAVING SEEN the distribution of professionals by grade and sex appended to the aforementioned report of the Secretary General;

NOTING WITH SATISFACTION the advances made in meeting the goal of having women occupy 50 percent of posts at all levels, especially in those grade levels where the goal has been met or exceeded; and

AWARE that despite this progress, the goal of 50/50 gender distribution in senior management positions was not met by the end of 2004,

RESOLVES:

1. To urge the Secretary General to:
 - a. Develop, with technical support from the Permanent Secretariat of the Inter-American Commission of Women and all people involved in the hiring and selection process, a human resources policy throughout which the principle of gender equity and equality is fully integrated.
 - b. Redouble his efforts to achieve the goal of having women, including indigenous 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;
 - c. Continue to make gender equity and equality, which includes equal opportunities for women and men at all grade levels, taking their diversity into account, including opportunities for career advancement, one of the priorities in his efforts to establish a new institutional culture in the Organization;

- d. Continue his work to establish policies of gender equality in the workplace and to make each manager accountable for the application of these policies;
- e. Appoint women as representatives and special envoys to represent the Secretary General in matters relating to all areas and sectors;
- f. Take into account, as a matter of priority, the objective of having women occupy 50 percent of posts at all grade levels within the OAS organs, agencies, and entities, with full respect for equitable geographic representation, when filling vacancies in the OAS, especially positions of higher authority.
- g. Enable the Permanent Secretariat of the CIM to effectively contribute to and facilitate the integration of the principle of gender equity and equality in human resource action plans.

2. To urge all member states to support the efforts of the Secretary General and of the CIM by identifying and, through their permanent missions to the OAS, regularly submitting the candidacies of 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.

3. To call on the organs, agencies, and entities of the OAS to:

- a. Redouble efforts to meet the goal of having women occupy 50 percent of posts at each grade level, particularly at the P-5 grade level and above, and to continue to accelerate their recruitment of women for vacant positions;
- b. Include the objective of having women occupy 50 percent of posts at each grade level, particularly at the P-5 grade level and above, in their human resource management action plans; and
- c. Encourage specific activities to address gender issues within 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.

4. 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 all grade levels, to keep the Permanent Council informed with respect to the implementation of this resolution, providing an annual update with relevant statistics from the Office 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-sixth regular session.

AG/RES. 2097 (XXXV-O/05)

MULTILATERAL EVALUATION MECHANISM (MEM)
OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION:
REPORT ON ITS THIRD EVALUATION ROUND

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4485/05), in particular with reference to the Annual Report of the Inter-American Drug Abuse Control Commission to the General Assembly (CICAD) (CP/doc.4033/05);

RECALLING that at the Third Summit of the Americas, the Heads of State and Government noted with satisfaction the creation and implementation of the Multilateral Evaluation Mechanism (MEM), and reiterated their commitment to make this instrument, unique in the world, a central pillar of assistance toward effective hemispheric cooperation in the struggle against all the component elements of the worldwide drug problem;

RECOGNIZING that the MEM is a fundamental tool for obtaining a multilateral, objective, and transparent diagnostic assessment of the manner in which states confront the drug problem in the Hemisphere; and that it also seeks to enhance inter-institutional coordination internally and internationally, dialogue among the competent authorities, and the optimization of resources devoted to cooperation among states in order to address the drug problem and related offenses more effectively;

CONSCIOUS that the changing nature of the world drug problem requires the MEM to evolve in a dynamic way so that its capacity to identify trends and follow up on individual and collective progress on the drug problem in the Hemisphere may be strengthened with each evaluation exercise; and

NOTING that the hemispheric report and the 33 national reports produced as a result of implementation of the third evaluation round of the MEM were approved by CICAD at its thirty-seventh regular session, held in Santo Domingo, Dominican Republic, in April 2005, and published with its recommendations in May 2005,

RESOLVES:

1. To note with satisfaction the approval by the Inter-American Drug Abuse Control Commission (CICAD) at its thirty-seventh regular session of the hemispheric report and the 33 national reports of the Multilateral Evaluation Mechanism (MEM) produced as a result of its third evaluation round 2003-2004.

2. To endorse the reports of the MEM in their entirety; to urge the countries to implement the recommendations contained therein; and to request CICAD to present an updated report on compliance therewith to the General Assembly at its thirty-sixth regular session.

3. To urge member states to disseminate the national reports and the hemispheric report of the MEM, through their appropriate authorities, to their legislative branches and government institutions, the media, and civil society, so as to publicize the MEM and thereby increase the human and financial commitment of each member state and the Hemisphere to the fight against the drug problem and related offenses.

4. To welcome the striking progress made in national antidrug policies since the first evaluation round of the MEM 1999-2000 and its impact on the Hemisphere, which has made it possible to foster trust and dialogue among states; facilitated the exchange of information and best practices among governments in the Hemisphere; strengthened domestic legal frameworks in the member states, as well as the international legal framework by promoting a significant increase in the ratification of important international instruments; and helped to optimize resources for hemispheric cooperation by channeling them to areas identified by the MEM.

5. To urge member states to renew the commitment they showed during the three MEM evaluation rounds, and to continue participating actively, fully, and in a timely manner in the fourth evaluation round, in particular by providing the introductory material required on the status of the drug problem and related offenses in each national report and by giving complete answers to the questionnaire and assuring the presence of their qualified governmental experts in the different phases of the process.

6. To recognize that the MEM is an evolving instrument that needs to be strengthened; and therefore to urge CICAD to continue striving to adapt and improve the evaluation process, through the Intergovernmental Working Group (IWG), before the beginning of the fourth evaluation round.

7. To recognize the dedicated work of the Governmental Experts Group (GEG) entrusted with preparing the reports during the third evaluation round; and to congratulate the National Coordinating Entities (NCEs), the institutions, and the numerous national agencies that cooperated by providing ample information for the process.

8. To urge member states and permanent observers to initiate, maintain, or increase their voluntary financial contributions to the MEM, in order to ensure its continuity and strengthen its impact.

9. To instruct the Executive Secretariat of CICAD to continue to support the member states in their national efforts to implement the recommendations made in the MEM process.

AG/RES. 2098 (XXXV-O/05)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4485/05) on the Annual Report of the Inter-American Drug Abuse Control Commission to the General Assembly (CP/doc.4033/05);

RECALLING resolutions AG/RES. 2015 (XXXIV-O/04), "Observations and Recommendations on the Annual Report of the Inter-American Drug Abuse Control Commission," and AG/RES. 2026 (XXXIV-O/04), "Fighting Transnational Organized Crime in the Hemisphere";

RECALLING that, in the Declaration on Security in the Americas, the states of the Hemisphere adopted a new concept of security and considered that the security of the states of the Hemisphere is affected, in different ways, by traditional threats and by new threats, concerns, and other challenges of diverse types;

CONSCIOUS of the persistent need for greater progress in the fight against drug trafficking and related crimes, such as money laundering, illicit trafficking in arms, illicit diversion and misuse of pharmaceutical products and chemical substances, and transnational organized crime in general;

DEEPLY CONCERNED over the existence of armed groups and social movements related to the cultivation of illicit drug crops in certain countries, giving rise to situations that can destabilize the institutional order and undermine democratic governance;

REAFFIRMING its commitment to the Multilateral Evaluation Mechanism (MEM) as an objective instrument for measuring the progress made by member states in controlling the illicit drug problem and strengthening hemispheric solidarity and cooperation, as also set forth in resolution AG/RES. 2097 (XXXV-O/05), "Multilateral Evaluation Mechanism (MEM) of the Inter-American Drug Abuse Control Commission: Report on Its Third Evaluation Round";

WELCOMING that the Inter-American Drug Abuse Control Commission (CICAD), aware that drug use is a public health problem that affects society as a whole, has declared 2005 as the Year of Substance Abuse Prevention in the Americas, and that the states of the Hemisphere recognize the importance of early drug abuse prevention in the family, school, and community, including programs that strengthen values and life skills in children and youth; 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 Extradition of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), and other pertinent bodies of the inter-American system,

RESOLVES:

1. To express appreciation for the presentation to the General Assembly of the hemispheric report and the 33 national reports of the Multilateral Evaluation Mechanism (MEM) for the 2003-2004 term, which it endorses in full; and to urge every member state to implement the recommendations made to them.

2. To welcome the work done and the decisions taken by the Inter-American Drug Abuse Control Commission (CICAD) regarding illicit drug trafficking and related crimes associated with transnational organized crime, in accordance with resolution AG/RES. 2026 (XXXIV-O/04).

3. To urge member states to:

- a. Initiate, maintain, or increase their voluntary financial contributions to CICAD so that it may increase its assistance to member states in their national efforts to comply with the MEM recommendations;
- b. Consider incorporating, as appropriate, the provisions of the CICAD Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition, including the provisions on brokers;
- c. Strengthen cross-border cooperation, particularly in the exchange of experiences on issues related to drug control;
- d. Strengthen international cooperation and coordination by implementing the recommendations of the Expert Group on Maritime Drug Trafficking, assuring, in particular, their participation in meetings of that group and the signing of bilateral, regional, and other agreements to suppress illicit drug trafficking by sea and eliminate safe havens used by smugglers;
- e. Incorporate into their domestic legislation, as appropriate, the provisions of the CICAD Model Regulations concerning Laundering Offenses Connected to Illicit Drug Trafficking and Other Serious Offenses, including the amendments adopted at the thirty-seventh regular session of CICAD, including measures referring to the seizure of assets, special investigative techniques, and transnational organized crime;
- f. Strengthen the various aspects of their national drug control systems, including the national drug commissions, national drug control strategies and plans and, as appropriate, the decentralization of these strategies to local and municipal governments, and, in general, their framework of laws and

regulations adapted to the current characteristics of the problem in each country;

- g. During 2005, the Year of Substance Abuse Prevention in the Americas, promote programs and activities to contribute to illicit drug demand reduction and to the strengthening of prevention and education programs, through the development of life skills and the promotion of healthy living;
- h. Take into consideration the document “CICAD Hemispheric Guidelines for School Prevention Programs,” which may be used as a guide for standardizing school-based interventions through effective, science-based programs, to prevent drug use by children and youth in the Hemisphere;
- i. Take into consideration the document “Guidelines for the Organization of a Comprehensive National Drug Treatment System,” which may serve as a guide for establishing a treatment system that helps to improve the quality of care offered by treatment centers;
- j. Endeavor to ensure that alternative development projects support the ongoing economic viability of communities and families in those countries most affected by the presence of illicit crops, and those most vulnerable to the appearance of such crops;
- k. Consider the possibility of adopting alternative mechanisms to replace prison for drug users who commit minor crimes related to the possession of drugs for personal use, in accordance with the pertinent legislation in each country;
- l. Continue efforts to disrupt and prevent the growth of juvenile criminal gangs involved in illegal activities associated with drugs and in related crimes; and
- m. Consider, if they have not yet done so, 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 (CIFTA); and the Inter-American Convention on Mutual Assistance in Criminal Matters.^{1/}

1. Colombia has ratified the United Nations Convention against Transnational Organized Crime and its Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and is fully committed to their application. However, Colombia has stated that it will not ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, or the Protocol against the Smuggling of Migrants by Land, Sea and Air. Colombia does not agree with the text of Article 4, paragraph 2, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, concerning its scope of application. Colombia would have preferred that the Protocol apply to all transfers of firearms, their parts and components, and ammunition, in order to make a real contribution

4. Also to urge the permanent observers and international financial institutions to initiate, maintain, or increase their contributions to CICAD activities.

5. To recognize the progress made in the above-mentioned areas and, in accordance with the 2004 annual report of CICAD, to urge the Executive Secretariat of CICAD to continue to support and develop these areas and programs.

6. In accordance with the Anti-Drug Strategy in the Hemisphere of 1996, the CICAD Executive Secretariat should continue supporting the policies and programs corresponding to areas identified by the MEM, according to the necessities of each country in relation to efforts to control illicit drugs and related crimes in the four principal areas of the MEM: institutional development, demand reduction, supply reduction, and control measures.

7. To instruct the CICAD Executive Secretariat:

- a. Working through the Inter-American Observatory on Drugs, to support member states in their efforts to develop and maintain uniform national data collection systems on the problem of drug use and related crimes at the national level, enabling them to measure the dimensions of the problem and track new trends in substance abuse. Further, to develop and maintain information systems at the hemispheric level, and to expand to other member states, as appropriate, the CICAD pilot program to develop and test a standardized methodology to estimate the human, social, and economic cost of drugs in the Hemisphere, as mandated by the Third Summit of the Americas;

to preventing and combating illicit trafficking therein, and in order that transfers between states, like all other transfers, be subject to the control mechanisms set out in the Protocol.

The definition of "illicit trafficking" contained in Article 3, section (e), of the Protocol must be borne in mind: it states that, for a transfer to be licit, the authorization of all states parties involved in it is required. An escape clause, such as that appearing in Article 4, runs counter to that definition inasmuch as it implies that a state may transfer arms without the authorization or consent of one of the other states concerned. This would not only make such a transfer illicit but also open up the possibility for arms to be transferred to non-state actors.

Colombia, a country that has been seriously affected by the illicit trafficking in arms, cannot accept that certain arms transfers, such as transfers to non-state actors—which in our view constitute a grave crime—and transfers between states be excluded from the Protocol's control measures, and therefore, in accordance with the Vienna Convention on the Law of Treaties, took the sovereign decision not to ratify this Protocol.

With reference to the Protocol against the Smuggling of Migrants by Land, Sea and Air, Colombia has stated that it will not ratify this instrument inasmuch as it considers that it contains provisions designed to legitimize the forced repatriation of migrants who have not necessarily been smuggled. That approach was promoted during the negotiation of the Protocol by the destination countries, none of which has ratified the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Colombia believes that the clause contained in Article 6, paragraph 4, could lead to the criminalization of migrants, whereas the purpose of the Protocol is to pursue organized criminal gangs, not migrants.

Pursuant to the above, and in compliance with the Vienna Convention on the Law of Treaties, Colombia took the sovereign decision not to ratify the Protocol.

- b. To support the work of the expert groups dedicated to progress in the following thematic areas: demand reduction, control of firearms trafficking, pharmaceutical products, chemical precursors, money laundering, and maritime cooperation, to enable them to increase and facilitate cooperation and coordination, as well as information exchange, among the member states in these areas;
- c. To make an effort to prioritize the programs conducted by CICAD in all areas according to member states' needs, and to explore new technologies and other measures to reduce costs, in order to adapt to the Organization's current financial problems;
- d. To strengthen its cooperation and exchange of information 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 Consultative Committee of the CIFTA, the Inter-American Committee on Ports (CIP), the Working Group on Mutual Legal Assistance in Criminal Matters and Extradition of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), the special joint committee of the Permanent Council and the REMJA on transnational organized crime, the Inter-American Committee against Terrorism (CICTE), and other relevant organs of the inter-American system; and
- e. To work to identify new resources for continuing its support for the efforts of the member states in developing alternative development programs and projects.

AG/RES. 2099 (XXXV-O/05)

STRENGTHENING OF THE INTER-AMERICAN COMMISSION OF WOMEN

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Inter-American Commission of Women (CIM) has been recognized by the Summits of the Americas and the OAS General Assembly as the principal hemispheric forum for promoting women's human rights and gender equity and equality; and

That in the Plan of Action of the Third Summit of the Americas, the Heads of State and Government of the Hemisphere pledged to provide for an appropriate level of resources to the CIM to carry out its role as the principal hemispheric policy-generating forum for the advancement of the human rights of women and particularly of gender equality, and also pledged to strengthen the CIM as technical advisor for the Summit Implementation Review Group (SIRG) on all aspects of gender equity and equality;

RECALLING that in the past five years there has been a notable increase in the mandates given to the CIM by the member states of the OAS, namely: (1) to serve as the organ for follow-up, coordination, and evaluation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP) [AG/RES. 1732 (XXX-O/00)]; (2) to act as the Secretariat of the Conference of State Parties and the Committee of Experts of the newly created Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará" [AG/RES. 2138 (XXXV-O/05)]; (3) in coordination with the General Secretariat, to hold a Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM) every four years [AG/RES. 1741 (XXX-O/00)]; and (4) to serve as a focal point to assist the efforts, information sharing, and activities of the member states in fighting the crime of trafficking in persons, especially women, adolescents, and children [CIM/RES. 225 (XXXI-O/02)];

CONSIDERING:

That resolution AG/RES. 1732 (XXX-O/00), which adopted the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), urged 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; and

That resolutions AG/RES. 1451 (XXVII-O/97), AG/RES. 1592 (XXVIII-O/98), AG/RES. 1625 (XXIX-O/99), AG/RES. 1777 (XXXI-O/01), AG/RES. 1941 (XXXIII-O/03), and AG/RES. 2021 (XXXIV-O/04) 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;

CONSIDERING ALSO that 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, adopted resolution CIM/REMIM-II/RES. 8/04, urging the General Secretariat to provide the Permanent Secretariat of the CIM with sufficient human and financial resources to strengthen its capacity to comply with its mandates, as a specialized organization of the OAS dedicated to the promotion and protection of women's human rights; and to include CIM projects and programs among the priorities that are presented to external donors for funding; and

NOTING WITH CONCERN that the increase in the mandates to the CIM emanating from the Summits of the Americas, the General Assembly, the Convention of Belém do Pará and its follow-up, the IAP, and REMIM, as well as from specific projects such as the trafficking in persons project, is not consistent with the limited human and financial resources allocated to the Commission, which have been drastically reduced over the past eight years,

RESOLVES:

1. To urge the Secretary General to demonstrate the OAS commitment to gender equality by providing the Inter-American Commission of Women (CIM), in its capacity as a specialized organization of the OAS and as the principal hemispheric policy-generating forum for the advancement of the human rights of women and particularly of gender equality, with sufficient human and financial resources to strengthen its capacity to carry out its increasing 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 renew the mandate to 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. 2100 (XXXV-O/05)

SUPPORT FOR THE ACTIVITIES OF AND PREPARATIONS FOR
THE FOURTH REGULAR MEETING OF THE ASSEMBLY OF THE
INTER-AMERICAN TELECOMMUNICATION COMMISSION

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN resolution AG/RES. 2020 (XXXIV-O/04), which requested the Inter-American Telecommunication Commission (CITEL) to present a follow-up report on its activities to the General Assembly at its thirty-fifth regular session;

RECOGNIZING:

The economic and social part played by telecommunications in our society;

The speed of technological change, the need to adapt telecommunication systems to the political and technical environment and to market requirements, and the importance of the investment made to address that need; and

The importance of ensuring that the Organization continues enthusiastically and decisively to promote access by all citizens to telecommunications and to information technologies;

BEARING IN MIND:

That, at the Third Regular Meeting of the CITEL Assembly, held in Washington, D.C., in August 2002, the Administration of Costa Rica was chosen to host the Fourth Regular Meeting of the CITEL Assembly; and

That holding a meeting at such a level is of the utmost importance to the Hemisphere in determining the priorities, needs, and recommendations of the telecommunications authorities of the Americas;

TAKING INTO ACCOUNT:

That CITEL is the leading inter-American forum for dialogue on telecommunications matters and that it performs a task of the highest importance and effectiveness in following up on the telecommunications initiatives of the Summits of the Americas and implementing programs and projects of great value for the development of the countries of the Hemisphere;

That it is necessary to encourage active, high-level participation by the member states in formulating policies and designing and implementing priority strategies and plans;

That the Third Regular Meeting of the CITELE Assembly was funded with resources from Subprogram 10W – OAS Conferences; and

The significant progress made in identifying the region's telecommunications priorities; and

UNDERSCORING:

The following activities undertaken by CITELE in 2004:

- a. Approval of various recommendations dealing with the coordination of appropriate, stable, and viable standards to ensure the interoperability and timely introduction of advanced technologies, particularly standards for protecting key infrastructure, broadcasting topics, spectrum harmonization, problems associated with telecommunications convergence, and economic aspects of telecommunications;
- b. Making available different telecommunication professional development courses, using materials prepared by accredited training centers in the region and in coordination with the Center of Excellence for the Americas Region of the International Telecommunication Union (ITU);
- c. Presentation of a harmonized regional perspective, through the development of inter-American proposals, to the 2004 World Telecommunication Standardization Assembly. Preparations have also continued for the 2006 World Telecommunication Development Conference, the 2006 ITU Plenipotentiary Conference, and the 2007 World Radiocommunication Conference;
- d. Organization of various seminars and workshops dealing with priority issues for the countries, such as next generation networks, cybersecurity, economic aspects of telecommunications, and telecommunications using the Internet Protocol (IP); and
- e. Maintenance and expansion of cooperation among all member states and with the corresponding regional organizations,

RESOLVES:

1. To note with satisfaction the progress made with preparations to organize the Fourth Regular Meeting of the Assembly of the Inter-American Telecommunication Commission (CITELE), scheduled to be held in the first quarter of 2006, in San José, Costa Rica.

2. To request the Secretary General to use his good offices with the governments of the member states to ensure participation by the highest governmental telecommunications authorities, with a view to ensuring the success of the Fourth Regular Meeting of the CITELE Assembly.

3. To request the Committee on Administrative and Budgetary Affairs of the Permanent Council, within the framework of existing allocations, to identify the resources needed to hold the aforesaid event, in accordance with the guidelines established in resolution CP/RES. 872 (1459/04), "Update of Costs of Conferences and Meetings Funded by the OAS."

4. To recognize CITELE for its significant results in promoting the development of telecommunications in the region and, in particular, in fulfilling the mandates of the Summits of the Americas.

5. To instruct CITELE to continue evaluating mechanisms for encouraging active participation by all member states in its activities and, in particular, in preparing inter-American proposals, positions, and coordinated points of view for the upcoming major events to be held at the international level.

6. To encourage the member states to continue implementing the telecommunications commitments of the Summits of the Americas, and to continue disseminating and promoting the implementation of CITELE's recommendations within their respective Administrations.

7. To request CITELE to submit a follow-up report to the General Assembly at its thirty-sixth regular session.

AG/RES. 2101 (XXXV-O/05)

XIX PAN AMERICAN CHILD CONGRESS

(Adopted at the fourth plenary session, held on June 7, 2005)

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”; AG/RES. 1961 (XXXIII-O/03), “Nineteenth Pan American Child Congress”; and AG/RES. 2031 (XXXIV-O/04), “XIX 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 promote and protect the human rights of children;

BEARING IN MIND the Final Declaration and the seven resolutions adopted at the XIX Pan American Child Congress, held in Mexico City from October 27 to 29, 2004;

RECOGNIZING the important work that the Inter-American Children’s Institute is called upon to undertake, principally in the framework of promotion and protection of the rights of children; and taking into account the Institute’s annual report for 2004 (CP/doc.3994/05) and the resolution of its Directing Council adopting the Strategic Plan 2005-2008; and

BEARING IN MIND the six thematic areas addressed by the XIX Pan American Child Congress:

- i. “The Family as the Institution with Primary Responsibility for Protection, Upbringing, and Integral Development of the Child”;
- ii. “Evolution of the Child’s Relationship with the Family”;
- iii. “Children’s Rights and Their Relation to the Different Types of Families”;
- iv. “The Doctrine of Integral Protection and Current Family Law”;
- v. “Family Violence and Its Impact on Child Development”; and
- vi. “Promoting a Culture of Respect for Children’s Rights: The Roles of the Family, the State, Civil Society, and the Media,”

RESOLVES:

1. To express its satisfaction with the holding of the XIX Pan American Child Congress, whose central theme was “the family, as it is the foundation of the integral development of children.”

2. To express its satisfaction with the holding of the Special Meeting of the Directing Council of the Inter-American Children’s Institute (IIN), in Brasilia, Brazil, from April 25 to 27, 2005, at which, among other things, the Institute’s Strategic Plan 2005-2008 was adopted.

3. To reiterate the resolve of the member states to intensify their efforts and inter-American cooperation aimed at advancing policies to promote, protect, and publicize the human rights of children.

4. To call upon member states to implement the resolutions adopted at the XIX Pan American Child Congress by maintaining a child-centered focus and incorporating a family and community perspective in planning and decision-making processes.

5. To urge member states to provide the IIN voluntarily with information regarding programs, projects, and activities that adopt an evolutionary approach to childhood and family matters, in order to record them in the database of the IIN’s Information Program (PIINFA).

6. To request the IIN to include in its annual report to the General Assembly the results of the projects, programs, and activities carried out pursuant to the Declaration and resolutions adopted at the XIX Pan American Child Congress and the priorities identified in the Strategic Plan 2005-2008.

7. To request the Permanent Council to report to the General Assembly at its thirty-sixth regular session on follow-up to the implementation of the Declaration and the seven resolutions of the XIX Pan American Child Congress as well as the priorities identified in the Strategic Plan 2005-2008.

AG/RES. 2102 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the report of the Secretary General on the implementation of resolution 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" (CP/doc.4006/05),

RESOLVES:

1. To take note of the report of the Secretary General on the implementation of resolution AG/RES. 2016 (XXXIV-O/04), 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 2006 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-sixth regular session.

AG/RES. 2103 (XXXV-O/05)

PUBLIC PRESENTATION OF THE CANDIDATES PROPOSED FOR
THE POSITIONS OF SECRETARY GENERAL AND ASSISTANT SECRETARY GENERAL
OF THE ORGANIZATION OF AMERICAN STATES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING the nature, purposes, and principles of the Organization of American States established in its Charter;

BEARING IN MIND that the Inter-American Democratic Charter stipulates that the OAS will continue to carry out programs and activities designed to promote democratic principles and practices and strengthen a democratic culture in the Hemisphere;

CONSIDERING that the Organization fulfills its purposes through the General Secretariat, as well as other organs;

UNDERSCORING the concern of member states that those who serve as Secretary General and Assistant Secretary General of the Organization should commit to fulfilling the purposes proclaimed in the OAS Charter and diligently performing the functions established in said Charter, in other inter-American treaties and agreements, and by the General Assembly;

BEARING IN MIND that resolution CP/RES. 874 (1459/04) recommended that, when sponsoring candidates for the positions of Secretary General and Assistant Secretary General, member states exercise due diligence, to ensure that the candidates meet the highest standards of personal integrity, professional ability, and respect for democracy and democratic institutions, as well as for the defense and promotion of human rights;

BEARING IN MIND ALSO that the same resolution also resolved to continue examining this issue in order to develop proposals or criteria for strengthening this selection process;

CONSIDERING IT OF PARTICULAR IMPORTANCE for the member states and for civil society in general to be familiar in advance with the plans, projects, and programs proposed by the candidates for the positions of Secretary General and Assistant Secretary General, for the sake of greater transparency;

ACKNOWLEDGING the right of member states to present candidates for the positions of Secretary General and Assistant Secretary General up to the very day elections are held during the General Assembly; and

TAKING INTO ACCOUNT the duty of the Permanent Council under Article 91 of the Charter of the OAS to watch over the observance of the standards governing the operation of the General Secretariat,

RESOLVES:

1. To instruct the Permanent Council to invite the candidates put forward by member states for the positions of Secretary General and Assistant Secretary General to give a public presentation to this Organization prior to the elections, in order to describe in greater detail their proposals and the initiatives they would undertake should they be elected.

2. That the presentations shall be made to the Permanent Council on a date to be set by said Council and, if possible, at the same meeting of the Council, and shall be disseminated as widely as possible.

3. That an opportunity shall also be provided for a separate dialogue between the candidates and representatives of civil society organizations duly accredited to the Organization; such participation shall be governed by the Guidelines for the Participation of Civil Society Organizations in OAS Activities [CP/RES. 759 (1217/99)].

4. That this resolution shall not impair the authority of member states, established in Articles 73 and 74 of the Rules of Procedure of the General Assembly, to present candidates for the positions of Secretary General and Assistant Secretary General until the day of the corresponding election.

AG/RES. 2104 (XXXV-O/05)

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 7, 2005)

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.4376/05 add. 5);

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), AG/RES. 1937 (XXXIII-O/03), and AG/RES. 2009 (XXXIV-O/04);

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-weapon-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 Declaration adopted by the Conference of States Parties and Signatories to Treaties That Establish Nuclear-Weapon-Free Zones, held in Mexico City, from April 26 to 28, 2005;

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 consolidation 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 that 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 this resolution and in the Declaration on Security in the Americas, in particular, paragraph 11 of the latter, 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.

8. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2105 (XXXV-O/05)

SUPPORT FOR ACTION AGAINST ANTIPERSONNEL MINES IN ECUADOR AND PERU

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly, in particular the sections on matters assigned to the Committee on Hemispheric Security (AG/doc.4376/05 add. 5); and

The Report of the General Secretariat on the Implementation of Resolutions AG/RES. 1995 (XXXIV-O/04), "Support for the Program of Integral Action against Antipersonnel Mines in Central America"; AG/RES. 2002 (XXXIV-O/04), "Support for Action against Mines in Peru and Ecuador," and AG/RES. 2003 (XXXIV-O/04), "The Americas as an Antipersonnel-Land-Mine-Free Zone" (CP/doc.3990/05);

RECALLING its resolution AG/RES. 1644 (XXIX-O/99), operative paragraph 12, urging 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 between the two countries and in the vicinity of power grids in Peru 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 substantial progress made by Ecuador and Peru in mine-clearing, the destruction of stockpiles, and measures to enhance transparency, and the special importance of humanitarian demining when it is carried out in a joint and consolidated fashion, as in the case of the work being done by the Governments of Ecuador and Peru in their common border area, which has resulted in information exchange and levels of cooperation that constitute an effective mutual confidence-building measure and an avenue toward further integration of their peoples;

NOTING WITH SATISFACTION that Ecuador and Peru have destroyed their antipersonnel mine stockpiles, in furtherance of 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);

NOTING the start of joint humanitarian demining activities in the common border area of the Cordillera del Cóndor and the significant progress made;

RECOGNIZING:

The firm resolve of Ecuador and Peru to honor the commitments undertaken pursuant to the Ottawa Convention;

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

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 between the Department of Tumbes in Peru and the Province of El Oro 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 provided by OAS member states and permanent observers, and other countries, to national efforts in Ecuador and Peru to forge ahead with their mine-clearing programs;

The establishment, in Ecuador, of the Amazonas Regional Mine-Clearing Commando for the work to be carried out in the Province of Morona-Santiago, and, in Peru, of the Regional Mine-Clearing Office in Bagua, Department of Amazonas;

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

The efficient technical advice and support of the Inter-American Defense Board and the ACIMA Program for the mine-clearing activities in Ecuador and Peru supported by the AICMA Program, through a group of international monitors selected by the Board and appointed thanks to cooperation among the Governments of Brazil, Chile, Honduras, and Nicaragua; and

TAKING NOTE of the efforts made by Ecuador and Peru, with the help of AICMA and the Government of Canada, to organize, in August 2003, in Peru, the Regional Seminar “Towards an antipersonnel-land-mine-free Hemisphere” and, in August 2004, in Ecuador, the Regional Conference on Mine Action in the Americas “One more step towards an antipersonnel mine-free Hemisphere,”

RESOLVES:

1. To recognize the important work and achievements of 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, as well as in promoting education on the risks posed by antipersonnel mines in order to continue significantly reducing the number of accidents caused by these devices.

2. 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 action that could serve as a new means of confidence- and security-building for other countries concerned and generate the political momentum needed to maintain the Hemisphere's global leadership in promoting this essential humanitarian task.

3. Also to encourage the Governments of Ecuador and Peru to continue mine-clearing operations on the border, so that the border area may be free of antipersonnel mines within the time frame estimated by the two countries with technical advice from the Program for Comprehensive Action against Antipersonnel Mines (AICMA) and the Inter-American Defense Board (IADB).

4. To reiterate to member states, permanent observers, and the international community in general that, in view of the initial results achieved, they should continue to provide technical and financial assistance to the Governments of Ecuador and Peru for their mine-clearing programs and any comprehensive action against antipersonnel mines that they carry out in other areas of their common border and inside their respective territories.

5. To instruct the General Secretariat to continue to cooperate fully, through AICMA, 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 the victims and their families, prevention education, and the social and economic reclamation of demined areas.

6. To instruct the General Secretariat once again to continue to work, through AICMA, 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.

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

AG/RES. 2106 (XXXV-O/05)

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

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5), as well as the report of the General Secretariat on the implementation of resolution AG/RES. 1995 (XXXIV-O/04), "Support for the Program for Comprehensive Action against Antipersonnel Mines in Central America" (CP/doc.3990/05);

RECALLING resolution AG/RES. 1995 (XXXIV-O/04), 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 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 prevention 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;

ACKNOWLEDGING WITH GREAT SATISFACTION:

That in November 2000 Honduras became the first OAS member state to eliminate completely its antipersonnel-land-mine stockpiles; and in October 2004 the Government of Honduras declared its territory mine-free, thereby becoming, along with Costa Rica and El Salvador, one of the first affected states in the world that have declared themselves free of this problem, once again fulfilling the mandate of the OAS and that 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 support provided by the Program for Comprehensive Action against Antipersonnel Mines (AICMA), through the National Demining Commission of Nicaragua, for the care of more than 600 mine victims in the National Orthosis and Prosthesis Center (CENAPRORTO), as well as the successful development of a social and vocational training and reintegration program for more

than a third of the registered victims, with academic support from the country's National Technological Institute (INATEC);

The decision of the Government of Nicaragua to order the destruction of 810 antipersonnel mines retained for training purposes, in accordance with Article 3 of the Ottawa Convention, which reinforces the commitment of Central America as a region free of stockpiled antipersonnel mines; and

The significant contributions by means of the technical assistance that Guatemala has provided to Nicaragua, and Honduras to Guatemala, as well as the support that Nicaragua and Honduras are providing to Peru, Ecuador, and Suriname by sending 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 noteworthy participation of Honduras in Suriname's demining program, which was concluded in March 2005; and

ACKNOWLEDGING ALSO:

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;

The valuable contributions by member states, such as Argentina, Bolivia, Brazil, Canada, Colombia, Chile, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Peru, the United States, and Venezuela; by permanent observers, such as Denmark, France, Italy, Japan, the Netherlands, Norway, the Russian Federation, South Korea, Spain, Sweden, the United Kingdom, and the European Union, to help, in collaboration with AICMA, the Central American member states affected by antipersonnel mines;

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

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

RESOLVES:

1. To encourage the Central American states in their efforts to continue treating mine action 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 reiterate the request to 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 AICMA.

4. To request the Secretary General to continue to provide support for antipersonnel mine victims and their families in Central America, through AICMA in coordination with national and international institutions, in the areas of rehabilitation and vocational reintegration.

5. To instruct the General Secretariat to continue to provide the Central American countries, within the resources allocated in the program-budget of the Organization and other resources, with the support necessary to continue the mine-clearing programs and the prevention education programs for the civilian population, and the socioeconomic reclamation of demined areas.

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

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

8. To request the General Secretariat to present a report on the implementation of this resolution to the Permanent Council prior to the thirty-sixth regular session of the General Assembly.

9. 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. 2107 (XXXV-O/05)

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

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council, in particular the section related to hemispheric security issues (AG/doc.4376/05 add. 5);

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

WELCOMING United Nations Security Council resolution 1540 (2004), which affirmed that the “proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,” and member states’ commitments contained therein;

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, 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 accession 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. 2000 (XXXIV-O/04) and AG/RES. 1966 (XXXIII-O/03), “The Americas as a Biological- and Chemical-Weapons-Free Region”;

REAFFIRMING member states’ commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction, and to the principles and norms of the 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;

NOTING that 27 member states are states parties to the Chemical Weapons Convention and 31 member states are states parties to the 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;

UNDERSCORING FURTHER that full adherence to the Chemical Weapons Convention remains an important goal that requires continued effort; and

WELCOMING the activities of the Organization for the Prohibition of Chemical Weapons (OPCW), among them regional meetings and the establishment of action plans, that encourage universal adherence to and foster full implementation of the Chemical Weapons Convention,

RESOLVES:

1. To fulfill concretely 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 the implementation of the Chemical Weapons Convention (Article VII) and the Biological Weapons Convention (Article IV), and to establish, in accordance with Article VII of the Chemical Weapons Convention, competent National Authorities responsible for liaising with the Organization for the Prohibition of Chemical Weapons (OPCW).

5. To urge member states to fulfill their obligations under United Nations Security Council resolution 1540 (2004) to take and enforce without delay effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, and to refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer, or use nuclear, chemical, or biological weapons and their means of delivery.

6. To encourage those states in a position to do so to offer assistance as appropriate in response to specific requests from member states lacking sufficient legal and regulatory infrastructure, implementation experience, and/or resources for fulfilling this resolution or United Nations Security Council resolution 1540 (2004).

7. To request the Permanent Council to hold, at the level of the Committee on Hemispheric Security, a special meeting dedicated to promoting universality of the Chemical Weapons Convention and an exchange of information on experiences in legislative and administrative measures required for the implementation of that Convention and on 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.

8. To request the Permanent Council to hold, at the level of the Committee on Hemispheric Security, a special meeting dedicated to combating the proliferation of nuclear, chemical, and biological weapons, their delivery systems, and related materials within the framework of United Nations Security Council resolution 1540 (2004).

9. 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.

10. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2108 (XXXV-O/05)

THE PROLIFERATION OF AND THE ILLICIT TRADE IN
SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

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), AG/RES. 1968 (XXXIII-O/03), and AG/RES. 1997 (XXXIV-O/04), “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;

REAFFIRMING the commitment of member states in the Declaration on Security in the Americas 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

ACKNOWLEDGING:

The importance of the Second Biennial Meeting of States to Consider the Implementation of the 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) and the importance of the work of the 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;

The valuable contributions made and fruitful results achieved at the First Conference of the States Party to the CIFTA, held in Bogotá, Colombia, on March 8 and 9, 2004, and 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 undertaken by the Inter-American Drug Abuse Control Commission (CICAD) to develop the capacity of officials in member states to prepare domestic legislation that takes account of the CICAD Model Regulations for the Control of Brokers of Firearms, Their Parts and Components and Ammunition; and

The contributions by permanent observers, the international community, and subregional and regional organizations to assist member states with greatest need in addressing the serious threat posed by the proliferation of and illicit trafficking in small arms and light weapons in the Hemisphere,

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 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; and to commend those member states which have submitted their past reports on the implementation of the UN Programme of Action to the UN and the OAS.

3. To request the Permanent Council to hold annually, at the level of the Committee on Hemispheric Security, a 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 and consider further steps to address the proliferation and misuse of small arms and light weapons.

4. To encourage states parties to renew their commitment to the application of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and implementation 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), adopted at the First Conference of the States Party to the Convention.

5. To invite 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.^{1/}

1. Colombia has ratified the United Nations Convention against Transnational Organized Crime and its Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and is fully committed to their application.

However, Colombia has stated that it will not ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition since it does not agree with the text of Article 4, paragraph 2, concerning its scope of application. Colombia would have preferred that the Protocol apply to all transfers of firearms, their parts and components, and ammunition, in order to make a real contribution to preventing and combating illicit trafficking therein, and in order that transfers between states, like all other transfers, be subject to the control mechanisms set out in the Protocol.

The definition of “illicit trafficking” contained in Article 3, section (e), of the Protocol must be borne in mind: it states that, for a transfer to be licit, the authorization of all states parties involved in it is required. An escape clause, such as that appearing in Article 4, runs counter to that definition inasmuch as it implies that a state may transfer arms without the authorization or consent of one of the other states concerned. This would not only make such a transfer illicit but also open up the possibility for arms to be transferred to non-state actors.

6. To recommend the establishment of a specific fund within the OAS to collect and channel financial resources to member states for small arms collection, destruction, and related training programs.

7. To instruct the General Secretariat to develop and facilitate periodic in-depth courses on small arms, light weapons, and ammunition destruction and stockpile management, in conjunction with the United Nations Department for Disarmament Affairs (DDA) Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) and the Inter-American Defense College.

8. To urge the international community and subregional and regional organizations to assist member states with greatest need in addressing the serious threat posed by the proliferation of and illicit trafficking in small arms and light weapons in their territories.

9. To encourage member states to consider the adoption of domestic legislation on arms brokering, taking into account the Inter-American Drug Abuse Control Commission's (CICAD) Model Regulations for the Control of Brokers of Firearms, Their Parts and Components and Ammunition.

10. To instruct the General Secretariat to transmit the above-mentioned Model Regulations for the Control of Brokers of Firearms, Their Parts and Components and Ammunition to the United Nations as a regional contribution to UN General Assembly resolution 59/86.

11. To request CICAD to continue its cooperation with the Consultative Committee of the CIFTA on matters determined by that Committee as part of the Technical Secretariat of the Group of Experts to Prepare Model Legislation on CIFTA Matters, including dissemination of the Model Regulations mentioned above in paragraphs 9 and 10, and develop the capacity of officials in member states to prepare domestic legislation that takes account of these Model Regulations.

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 and secure excess stocks of small arms and light weapons as well as seized small arms and light weapons, and, in accordance with their 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 express appreciation to the Inter-American Defense Board and the Inter-American Defense College for their preparation of a handbook for member states on best practices for the identification, collection, management, security, and destruction of stockpiles of small arms and light weapons.

Colombia, a country that has been seriously affected by the illicit trafficking in arms, cannot accept that certain arms transfers, such as transfers to non-state actors--which in our view constitute a grave crime—and transfers between states be excluded from the Protocol's control measures, and therefore, in accordance with the Vienna Convention on the Law of Treaties, took the sovereign decision not to ratify this Protocol.

14. To urge member states which have undertaken commitments to destroy their excess small arms and light weapons to take full advantage of the technical assistance, training, or other support provided by the pertinent organs, agencies, and entities of the Organization.

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 to the General Assembly at its thirty-sixth regular session on the implementation of this resolution.

AG/RES. 2109 (XXXV-O/05)

DISARMAMENT AND NONPROLIFERATION EDUCATION

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

RECALLING its resolution AG/RES. 2007 (XXXIV-O/04), "Disarmament and Nonproliferation Education," adopted on June 8, 2004;

BEARING IN MIND the determination of the international community to promote and adopt specific measures to foster a culture of peace and nonviolence in all countries of the world and the significant contribution that disarmament and nonproliferation education can make in adopting such measures;

TAKING INTO ACCOUNT resolution 57/60, adopted by the United Nations General Assembly on December 30, 2002, 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;

TAKING INTO ACCOUNT resolution 59/93, adopted by the United Nations General Assembly on December 3, 2004, which once again conveys those recommendations to Member States, the United Nations and other international and regional organizations, civil society, and nongovernmental organizations, and encourages them to report to the Secretary-General on steps taken to implement them; 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 reiterate to member states the invitation contained in resolution AG/RES. 2007 (XXXIV-O/04) to give consideration to the recommendations contained in the aforementioned United Nations study, in order to strengthen education and training for disarmament and nonproliferation.

2. To instruct the Permanent Council to carry out, through the Committee on Hemispheric Security, a thorough analysis of the United Nations Study on Disarmament and Non-proliferation Education, giving special consideration to those recommendations in the Study aimed at international and regional organizations, in order to identify relevant actions that could be implemented by the Organization of American States to promote disarmament and nonproliferation education in the Hemisphere.

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

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

AG/RES. 2110 (XXXV-O/05)

INTER-AMERICAN CONVENTION ON TRANSPARENCY
IN CONVENTIONAL WEAPONS ACQUISITIONS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

RECALLING:

The adoption of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, in Guatemala City, Guatemala, on June 7, 1999, through resolution AG/RES. 1607 (XXIX-O/99), and its entry into force on November 21, 2002;

Its resolutions AG/RES. 1749 (XXX-O/00), AG/RES. 1799 (XXXI-O/01), and AG/RES. 1881 (XXXII-O/02), “Inter-American Convention on Transparency in Conventional Weapons Acquisitions”; and

Its resolutions AG/RES. 1967 (XXXIII-O/03) and AG/RES. 1996 (XXXIV-O/04), “Transparency and Confidence- and Security-Building in the Americas”;

CONSIDERING:

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

That the “Consensus of Miami: Declaration by the Experts on Confidence- and Security-Building Measures: Recommendations to the Summit-Mandated Special Conference on Security” (Miami, February 2003) measures recognized progress made in the adoption, ratification, and entry into force of the Convention;

RECOGNIZING:

That the Declaration on Security in the Americas emphasizes that “transparency in defense and security policies contribute to increasing stability, safeguarding hemispheric and international peace and security, and consolidating democracy;” and

That the Declaration of Quito of the Sixth Meeting of Ministers of Defense of the Americas asserted that “transparency of security and defense policies contribute to consolidating peace and

security among the States of the region” and recommended that states consider ratification of the Convention;

BEARING IN MIND that openness and transparency in the conventional weapons field contribute to building mutual confidence, reducing tensions, and strengthening regional and international peace and security; and

NOTING WITH SATISFACTION that the Governments of Argentina, Canada, Guatemala, Ecuador, El Salvador, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela have deposited their instruments of ratification of the Convention and that 20 member states have signed it,

RESOLVES:

1. To reaffirm its commitment to the principles of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

2. To invite all states which have not already done so to consider signing, ratifying, and/or acceding to the Convention.

3. To urge states parties to submit, in a timely fashion, annual reports and notifications in compliance with their obligations under Article III and Article IV of the Convention.

4. To request the General Secretariat to circulate the states parties’ annual reports and notifications which it has received in accordance with Article XIV of the Convention, and notify those states parties which have not yet submitted their reports.

5. To request that the Permanent Council, through the Committee on Hemispheric Security, convene a meeting of the states parties to the Convention, to which member states not party to the Convention will also be invited, to review implementation of the Convention, consider activities aimed at promoting signature and ratification of the Convention, and contribute to the preparation of the first Conference of the States Parties, which will take place in 2009 pursuant to Article VIII of the Convention.

6. To urge all states parties to identify points of contact to participate in the above-mentioned meeting who would also serve as the focal points in their respective countries for complying with the reporting requirements of the Convention and for responding to member state or General Secretariat inquiries regarding the Convention; and to request the General Secretariat to establish, on the basis of information submitted by states parties, a list of points of contact.

7. To request the Secretary General to present a report to the Permanent Council, prior to the thirty-sixth regular session of the General Assembly, on the status of signatures, ratifications, and accessions to the Convention.

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

AG/RES. 2111 (XXXV-O/05)

INTER-AMERICAN SUPPORT FOR THE COMPREHENSIVE
NUCLEAR-TEST-BAN TREATY^{1/}

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

RECALLING resolutions AG/RES. 1747 (XXX-O/00), AG/RES. 1791 (XXXI-O/01), AG/RES. 1876 (XXXII-O/02), AG/RES. 1938 (XXXIII-O/03), and AG/RES. 2008 (XXXIV-O/04), “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. 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),” the General Assembly reaffirmed “its commitment to continue striving for a nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect”;

That paragraph 8 of the Joint Ministerial Statement in support of the Comprehensive Nuclear-Test-Ban Treaty, issued at United Nations headquarters on September 23, 2004, appeals to all states to make maximum efforts toward the early entry into force of the Treaty; and

The commitment by nuclear-weapon 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;

-
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.

REAFFIRMING the need for universal adoption of the CTBT, negotiated within the United Nations framework;

NOTING that the CTBT has, thus far, been signed by 30 member states of the OAS and ratified by 22 of them; and, in particular, that it has now been ratified by six of the eight states of the Hemisphere 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,

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 all states of the Hemisphere to attend and participate fully in the next Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, scheduled to take place in New York, from September 22 to 24, 2005.

3. 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.

4. To promote cooperation between the Preparatory Commission for the CTBT Organization and the member states experiencing difficulties in ratifying the CTBT, in order to make progress in the number of ratifications required for this instrument to enter into force.

5. 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 Nuclear Non-Proliferation Treaty (NPT) Review Conference, held in 2000.

6. 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 will become operational when the Treaty enters into force.

7. To entrust the Permanent Council with holding, through its Committee on Hemispheric Security, a special meeting, in 2006, 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), the United Nations, the Preparatory Commission for the CTBT Organization, and other international institutions with competence in this area.

8. 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.

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

10. 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. 2112 (XXXV-O/05)

SPECIAL SECURITY CONCERNS OF THE SMALL ISLAND STATES OF THE CARIBBEAN

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

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 nuclear 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 potentially disastrous 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. 2006 (XXXIV-O/04), 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. 1802 (XXXI-O/01), AG/RES. 1640 (XXIX-O/99), AG/RES. 1567 (XXVIII-O/98), and AG/RES. 1497 (XXVII-O/97), "Special Security Concerns of Small Island States"; and AG/RES. 1410 (XXVI-O/96), "Promotion of Security in the Small Island States";

BEARING IN MIND the adoption by the General Assembly at this thirty-fifth regular session of resolution AG/RES. 2114 (XXXV-O/05), "Natural Disaster Reduction and Risk Management";

RECALLING ALSO that the Ministers of Foreign Affairs and Heads of Delegation recognized, as stated in the Declaration of Bridgetown, that the security threats, concerns, and other challenges in the hemispheric context are diverse in nature and multidimensional in 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, and resolution AG/RES. 1970 (XXXIII-O/03), which endorsed the recommendations of the said Second High-Level Meeting, as set out in the Declaration of Kingstown on the Security of Small Island

States, both reaffirmed that the political, economic, social, health, and environmental integrity and stability of small island states are integral to the security of the Hemisphere; 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 hemispheric security architecture by addressing the multidimensional nature of security.

2. To appeal to member states to collaborate with the small island states of the Caribbean 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 periodically hold a meeting dedicated to the consideration of the special security concerns of small island states, including the evaluation of progress made and the development of strategies for advancing the implementation of the relevant General Assembly resolutions.

4. To request that, in support of the small island states' efforts to address their special security concerns, the Committee on Hemispheric Security coordinate and maintain the necessary liaison with the organs, agencies, entities, and mechanisms of the Organization and other institutions and mechanisms 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 those provisions pertaining to the special security concerns of small island states in the Declaration on Security in the Americas.

5. To reiterate its request to the relevant organs, agencies, and entities of the Inter-American system, such as the Inter-American Council for Integral Development (CIDI), the Inter-American Drug Abuse Control Commission (CICAD), 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 on 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:

- a. Completing the development of the virtual private network to facilitate regional sharing of criminal intelligence and other relevant databases in the fight against terrorism;
- b. 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;
- c. Increasing awareness and improving preparedness to combat and respond to acts of terrorism;
- d. 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;
- e. Developing training programs to enable existing security entities in the small island states to meet the new security threats, concerns, and challenges;
- f. Strengthening the capacity of small island states to fight against illicit trafficking in drugs and firearms;
- g. Developing proposals for strategic planning and cooperation, and ways to deal with common threats; and
- h. Continuing the simulation exercises that play an enormously important part in strengthening the capacity of these states to respond to their special security threats, concerns, and challenges.

6. 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.

7. To instruct the Permanent Council and the Secretary General to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution.

AG/RES. 2113 (XXXV-O/05)

TRANSPARENCY AND CONFIDENCE- AND SECURITY-BUILDING IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

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), AG/RES. 1967 (XXXIII-O/03), and AG/RES. 1996 (XXXIV-O/04), on transparency and confidence- and security-building measures in the Americas (CSBMs);

TAKING NOTE of the Rapporteur's Report and the Chairman's Conclusions of the First Meeting of the Forum on Confidence- and Security-Building Measures, held in Washington, D.C., on April 25 and 26, 2005 (CSH/FORO-I/doc.10/05 and CSH/FORO-I/doc.11/05); and

CONSIDERING:

That in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico City, Mexico, in October 2003, 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” and recommended that periodically the Committee on Hemispheric Security meet as the “Forum for Confidence- and Security-Building Measures” in order to review and evaluate existing confidence- and security-building measures and, if appropriate, consider new measures that would make it possible to ensure progress in this area; and

That, in the Declaration of Quito of the Sixth Conference of Ministers of Defense of the Americas, member states reaffirmed their commitment to “continue to support and promote mutual confidence building measures and transparency in military matters, by implementing the Declarations of Santiago, San Salvador, and Miami, which contribute to the hemisphere’s stability and strengthen regional cooperation,”

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 and 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 the relevant sections of the Declaration of Kingstown on the Security of Small Island States.

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-sixth 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 Declarations and Consensus; 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 instruct the Permanent Council to convene the Forum on Confidence- and Security-Building Measures to meet in the first half of 2006 to evaluate the application of the Illustrative List of Confidence- and Security-Building Measures, adopted at the Meeting of Experts on Confidence- and Security-Building Measures, held in Miami in February 2003.

6. To reiterate its request to the competent bodies of the Organization of American States and other appropriate national, subregional, and regional institutions to consider developing and promoting the specific confidence-enhancing measures of a non-military nature identified in the said Illustrative List of Confidence- and Security-Building Measures and provide a written submission to the CSH.

7. 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.

8. To maintain as a goal universal participation by all member states 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.

9. To urge member states to share bilateral and subregional experiences regarding the development of standardized methodologies for measuring military expenditures.

10. 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; and to request the General Secretariat to assign personnel to assist and train officials in member states in the use of said system.

11. 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.

12. To request the General Secretariat to include in OASIS member states' national doctrine and defense policy papers, as well as the information, *inter alia*, provided by the states parties pursuant to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions, and by the member states 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 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.

14. 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.

15. 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.

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

AG/RES. 2114 (XXXV-O/05)

NATURAL DISASTER REDUCTION AND RISK MANAGEMENT

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

DEEPLY CONCERNED by the devastation in several member states caused by diverse natural disasters, including phenomena such as the severe 2004 hurricane season, cyclical problems associated with the “El Niño” warm water currents in the Pacific Ocean, floods, landslides, earthquakes, and tsunamis, which have resulted in losses suffered by their populations including the tragic loss of life, the substantial damage to their economic and social infrastructure, and the resulting negative impact on their development objectives and on their poverty eradication efforts, exacerbated by the diversion of financial resources to disaster response and away from sustainable development;

REAFFIRMING:

The importance of urgently reducing the vulnerability of member states to natural disasters through the development of domestic natural disaster reduction strategies, mutual assistance, and technical cooperation;

The importance of the implementation by member states of applicable building codes and land-use plans to reduce the impact of natural hazards; and

The need to strengthen the planning and management activities of the OAS so as to respond more effectively to the frequent natural disasters in the Hemisphere;

RECOGNIZING:

The importance of the Inter-American Convention to Facilitate Disaster Assistance (“the Convention”), the Inter-American Emergency Aid Fund (FONDEM), and the Inter-American Committee on Natural Disaster Reduction (IACNDR) as the principal regional instrument and mechanisms to assist member states in preparing for, responding to, and reducing vulnerability to natural disasters; and

The significant work carried out by the Inter-American Council for Integral Development (CIDI), the Inter-American Committee on Sustainable Development, the Pan American Health Organization (PAHO), the Pan American Development Foundation (PADF), the Inter-American Defense Board (IADB) and Inter-American Defense College (IADC), the Inter-American Institute for Cooperation on Agriculture (IICA), and the Inter-American Development Bank (IDB), in matters relating to natural disasters within their respective areas of competence;

NOTING WITH SATISFACTION:

The efforts of the Permanent Council through its Committee on Hemispheric Security and the recommendations concerning the redundancies in the composition and function of the IACNDR, the Inter-American Committee for Emergency Situations established under FONDEM, and the Inter-American Emergency Aid Committee mentioned in the Convention, as well as the recommendations on natural disaster reduction and risk management proposed for implementation by the Organization of American States and its subsidiary bodies; and

The initiative being coordinated by the General Secretariat, through the Office of Sustainable Development and Environment, with the participation of the international financial institutions, particularly the Inter-American Development Bank, the International Monetary Fund, and the World Bank, to review present practices and needed policy initiatives dealing with the economics of disaster mitigation in the Caribbean: quantifying benefits and costs of mitigating natural hazard losses;

RECALLING:

Its prior resolutions on natural disaster reduction [AG/RES. 2024 (XXXIV-O/04), AG/RES. 1955 (XXXIII-O/03), and AG/RES. 1885 (XXXII-O/02)] and on OAS natural disaster reduction mechanisms [AG/RES. 1803 (XXXI-O/01) and AG/RES. 1755 (XXX-O/00)];

That at the Summits of the Americas and the Special Conference on Security (Mexico City, October 2003) and through the Inter-American Program for Sustainable Development (PIDS) the member states have expressed concern over natural and man-made disasters that negate development gains and cause greater devastation in the most vulnerable states and among the poorest populations that have not yet developed adequate prevention, mitigation, and emergency response capabilities;

That at the Third Summit of the Americas (Quebec City, April 2001) the member states endorsed the Plan of Action's Disaster Management Strategy to pursue better risk management, capacity-building, forecasting, mitigation, and knowledge- and information-sharing; and

That in the Declaration on Security in the Americas, adopted at the above-mentioned Special Conference on Security, the member states expressed their “concern over natural and man-made disasters that afflict states of the Hemisphere and cause greater devastation in the most vulnerable states that have not yet developed adequate prevention and mitigation capabilities” and pledged to “strengthen the existing inter-American mechanisms and develop new cooperation mechanisms to improve and broaden the region’s response capability in preventing and mitigating the effects of these disasters,” to “effectively and swiftly address natural disasters by strengthening existing bilateral, subregional, and multilateral actions and institutions, such as the Inter-American Committee for Natural Disaster Reduction and, when possible, 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, productive and critical infrastructure[,] our heritage, and, most importantly, our peoples”; and

BEARING IN MIND:

That the Permanent Council, through the Committee on Hemispheric Security, informed the preparatory process of the World Conference on Disaster Reduction, convened by the United Nations General Assembly (Kobe, Japan, January 18-22, 2005), of the Organization's work in natural disaster reduction, which was recognized in the Hyogo Declaration and the Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters, adopted at that Conference; and

That the said Conference resolved to pursue during the next 10 years the “substantial reduction of disaster losses, in lives and in the social, economic and environmental assets of communities and countries”; and the importance of the Hyogo Framework for Action for the achievement of this goal,

RESOLVES:

1. To endorse the recommendations of the Permanent Council set out in the document “Recommendations of the Committee on Hemispheric Security on Natural Disaster Reduction and Risk Management” (CP/CSH-718/05).

2. To reiterate the important role of the Committee on Hemispheric Security in coordinating cooperation among the organs, agencies, entities, and mechanisms of the Organization related to the various aspects of security and defense in the Hemisphere, including natural and man-made disasters, respecting the mandates and areas of competence of each, in order to achieve the application, evaluation, and follow-up of the Declaration on Security in the Americas.

3. To harmonize the relationship among the Inter-American Committee on Natural Disaster Reduction (IACNDR), the Inter-American Committee for Emergency Situations (IACSE) of the Inter-American Emergency Aid Fund (FONDEM), the Inter-American Emergency Aid Committee (IAEAC), and the other organs, agencies, and entities of the Organization of American States and the inter-American system in addressing matters relating to natural disasters and in particular mitigation through vulnerability reduction and risk management, monitoring and alert, emergency preparedness and response, and disaster recovery and reconstruction efforts.

4. To instruct the Permanent Council and the Inter-American Council for Integral Development (CIDI) to set up a joint consultative body of the Committee on Hemispheric Security (CSH) and the Permanent Executive Committee of CIDI (CEPCIDI) whose principal tasks would be:

- a. To work on the immediate implementation of the recommendations on systematic risk management, including risk identification, risk reduction, and risk transfer, directed to the OAS and its subsidiary bodies;
- b. To review the Statutes of FONDEM and of the IACNDR and propose the amendments necessary to create a single permanent inter-American committee to address natural and other disasters and carry out the functions of the IACNDR, the IACSE, and the IAEAC, which would be composed of

the relevant organs, agencies, entities, and mechanisms of the OAS and the inter-American system;

- c. To convene in 2005, within the framework of the CSH, a meeting of the regional, subregional, and national disaster preparedness agencies, with the participation of governmental experts, subregional sector institutions, and international experts to share experiences and methods of analysis of vulnerability and risk and of the cost and benefit of investing in natural hazards mitigation, and to forward the recommendations of that meeting to the Permanent Council, CIDI, and the permanent inter-American committee mentioned in subparagraph 4.b above; and
- d. To develop a methodology for funding specially geared towards prevention of and reconstruction and recovery in the event of natural disasters.

5. To instruct the General Secretariat to provide, through the Executive Secretariat for Integral Development (SEDI) and the Office of Sustainable Development and Environment, technical support and advice on natural disaster reduction and risk management to the joint consultative body and the permanent inter-American committee referred to in the chapeau of operative paragraph 4 and in subparagraph 4.b above.

6. To request the inter-American organs, agencies, and entities, especially the Inter-American Council for Integral Development (CIDI), the Inter-American Committee on Sustainable Development, the Pan American Health Organization (PAHO), the Pan American Development Foundation (PADF), the Inter-American Defense Board (IADB) and Inter-American Defense College (IADC), the Inter-American Institute for Cooperation on Agriculture (IICA), the Inter-American Development Bank (IDB), and the General Secretariat to support the work of the joint consultative body referred to in operative paragraph 4 above.

7. To instruct the General Secretariat to work in close collaboration with other multilateral agencies such as the Inter-Agency Secretariat for the United Nations International Strategy for Disaster Reduction (ISDR), the Office for the Coordination of Humanitarian Affairs (OCHA), and the International Federation of the Red Cross (IFRC).

8. To urge member states to establish short time frames for the implementation of the recommendations set out in the Inter-American Strategic Plan for Policy on Vulnerability Reduction, Risk Management and Disaster Response (IASP), developed by the IACNDR, aimed at reducing the cost of the impact of natural hazard events that lead to a disaster and the number of persons needing attention during a disaster.

9. To encourage the international community and international financial institutions to fund multinational programs on risk management focusing on each of its three main areas: identification, reduction, and transfer.

10. To actively encourage the preparation and sharing of individual country disaster preparedness, response, and mitigation plans in order to facilitate more effective support from members of the international community.

11. To urge the states parties to the Inter-American Convention to Facilitate Disaster Assistance to designate a National Coordinating Authority pursuant to the terms of the Convention and to notify the General Secretariat of that designation.

12. To invite those member states that have not already ratified the Inter-American Convention to Facilitate Disaster Assistance to give consideration to signing and/or ratifying the Convention, as the case may be, and to adopt the measures necessary for its effective implementation.

13. To instruct the Permanent Council and the General Secretariat 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.

14. To request the Permanent Council and the General Secretariat to submit a report on the implementation of this resolution to the General Assembly at its thirty-sixth regular session.

15. To request the Secretary General to forward a copy of this resolution to the United Nations Secretary-General.

AG/RES. 2115 (XXXV-O/05)

ADDRESSING EXTREME POVERTY, INEQUALITY, AND SOCIAL EXCLUSION
AS A MEANS OF STRENGTHENING HEMISPHERIC SECURITY

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

RECALLING its resolution AG/RES. 2005 (XXXIV-O/04), “Addressing Extreme Poverty, Inequality, and Social Exclusion as a Means of Strengthening Hemispheric Security”;

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 combat 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;

That, in the Declaration of Santiago, adopted at the Fifth Conference of Ministers of Defense of the Americas (Santiago, Chile, November 18-22, 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; and

That, in the Declaration of Quito, adopted at the Sixth Conference of Ministers of Defense of the Americas (Quito, Ecuador, November 16-21, 2004), the Ministers of Defense declared that extreme poverty and social exclusion of broad sectors of the population are affecting stability and democracy, eroding social cohesiveness, and undermining the security of the states, and that security is indispensable to create economic and social opportunities for all and to generate a favorable environment to attract, retain, and productively use the investment and trade that are necessary to create sources of employment and fulfill the Hemisphere's social aspirations,

RESOLVES:

1. To urge member states to implement, by means of concrete actions at the domestic, subregional, hemispheric, and global levels, 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 hold, through the Committee on Hemispheric Security and in coordination with the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI), in the third quarter of 2006, a seminar, with the participation of government experts, international organizations, and representatives of civil society, for the purpose of considering, from a strategic point of view, how extreme poverty erodes social cohesion and undermines the security of states.

3. To direct that the seminar mentioned in operative paragraph 2 above be carried out within the resources allocated in the program-budget of the Organization and other resources; and to

request the General Secretariat to provide the necessary administrative support and technical secretariat services to that end.

4. To request the Permanent Council to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution by the pertinent organs, agencies, and entities of the inter-American system.

AG/RES. 2116 (XXXV-O/05)

FIGHTING TRANSNATIONAL ORGANIZED CRIME IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

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;

DEEPLY CONCERNED by the expansion and the dimensions of transnational organized crime in all its manifestations, and by the growing complexity and diversity of the activities of organized criminal groups;

RECALLING that in the Declaration on Security in the Americas, adopted at the Special Conference on Security, held in Mexico in October 2003, the member states condemned transnational organized crime, since it constitutes an assault on institutions in our countries and negatively affects our societies, and 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;

REITERATING:

The importance of full implementation of the obligations contracted by the states parties to the United Nations Convention against Transnational Organized Crime and the three supplementary Protocols thereto: the Protocol against the Smuggling of Migrants by Land, Sea and Air; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition; and

Resolution AG/RES. 2026 (XXXIV-O/04), "Fighting Transnational Organized Crime in the Hemisphere," which laid the foundation for addressing the topic within the Organization;

NOTING WITH SATISFACTION the conclusions and recommendations of the Meeting of Government Experts to Consider the Advisability of Developing a Hemispheric Plan of Action against Transnational Organized Crime, held on April 18 and 19, 2005, in Washington, D.C., which established, among other things, that such a plan should be drawn up;

BEARING IN MIND:

The decisions of the Inter-American Drug Abuse Control Commission (CICAD) regarding the conclusions and recommendations on fighting transnational organized crime in the Hemisphere adopted 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;

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

United Nations General Assembly resolution 59/157, “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,” and the decisions adopted at the first session of the Conference of the Parties to the Palermo Convention; and

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly, in particular the section on the topics assigned to the Committee on Hemispheric Security (AG/doc.4376/05 add. 5), among them the implementation of resolution AG/RES. 2026 (XXXIV-O/04), “Fighting Transnational Organized Crime in the Hemisphere”;

RESOLVES:

1. To invite those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, and implementing as early as possible the Palermo Convention and the three supplementary Protocols thereto: the Protocol against the Smuggling of Migrants by Land, Sea and Air; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.^{1/}

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1. The delegation of Colombia wishes to make the following declaration on operative paragraph 1 of the resolution “Fighting Transnational Organized Crime in the Hemisphere.”

Colombia has ratified the United Nations Convention against Transnational Organized Crime and its Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and is fully committed to their application.

However, Colombia has stated that it will not ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, or the Protocol against the Smuggling of Migrants by Land, Sea and Air.

Colombia does not agree with the text of Article 4, paragraph 2, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, concerning its scope of application. Colombia would have preferred that the Protocol apply to all transfers of firearms, their parts and components, and ammunition, in order to make a real contribution to preventing and combating illicit trafficking therein, and in order that transfers between states, like all other transfers, be subject to the control mechanisms set out in the Protocol.

The definition of “illicit trafficking” contained in Article 3, section (e), of the Protocol must be borne in mind: it states that, for a transfer to be licit, the authorization of all states parties involved in it is required. An escape clause, such as that appearing in Article 4, runs counter to that definition inasmuch as it implies that a state may transfer arms without the authorization or consent of one of the other states concerned. This would not only make such a transfer illicit but also open up the possibility for arms to be transferred to non-state actors.

Colombia, a country that has been seriously affected by the illicit trafficking in arms, cannot accept that certain arms transfers, such as transfers to non-state actors—which in our view constitute a grave crime—and transfers between states be excluded from the Protocol’s control measures, and therefore, in accordance with the Vienna Convention on the Law of Treaties, took the sovereign decision not to ratify this Protocol.

2. To urge member states to adopt and/or strengthen their legislation and cooperation in order to combat the various manifestations of transnational organized crime in the Hemisphere, including illicit drug trafficking, money laundering, illicit trafficking in arms, trafficking in persons, smuggling of migrants, cybercrime, criminal youth gangs, kidnapping, and corruption, as well as connections between terrorism and these manifestations.^{2/}

3. 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,^{3/} with a view to ensuring that the efforts of the various OAS entities and agencies are coordinated and integrated and 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.

4. To instruct the Permanent Council to establish, in accordance with Article 12 of its Rules of Procedure, a special committee on transnational organized crime, with the participation of government experts, to prepare a draft hemispheric plan of action against transnational organized crime and to follow up on the related activities of the Organization and its organs, agencies, and entities.

5. To take into account the “Conclusions and Recommendations of the Meeting of Government Experts to Consider the Advisability of Developing a Hemispheric Plan of Action against Transnational Organized Crime,” which are a part of this resolution, and the report of that meeting.

With reference to the Protocol against the Smuggling of Migrants by Land, Sea and Air, Colombia has stated that it will not ratify this instrument inasmuch as it considers that it contains provisions designed to legitimize the forced repatriation of migrants who have not necessarily been smuggled. That approach was promoted during the negotiation of the Protocol by the destination countries, none of which has ratified the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Colombia believes that the clause contained in Article 6, paragraph 4, could lead to the criminalization of migrants, whereas the purpose of the Protocol is to pursue organized criminal gangs, not migrants.

Pursuant to the above, and in compliance with the Vienna Convention on the Law of Treaties, Colombia took the sovereign decision not to ratify the Protocol.

2. Interpretative statement by Argentina, Brazil, Ecuador, Mexico, Paraguay, Peru, Uruguay, and Venezuela: “We acknowledge that there may be connections between terrorism and organized crime in certain cases and/or in certain regions of the world; we do not accept, however, that such connections always exist, in a systematic fashion. Such connections must be addressed on a case-by-case basis.”
3. Within their spheres of competence and for those aspects where it is deemed appropriate, 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 Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters and Extradition, the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), and the Inter-American Committee against Terrorism (CICTE). Also, the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC).

6. To instruct the General Secretariat to develop a mechanism for coordinating the efforts of the organs, agencies, entities, and mechanisms currently dealing with topics related to the prevention of and the fight against transnational organized crime, in order to prevent duplication and optimize the use of institutional resources.

7. To request the Permanent Council to submit the Draft Hemispheric Plan of Action against Transnational Organized Crime to the Sixth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI) for consideration, with a view to its adoption by the General Assembly at its thirty-sixth regular session.

8. 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 Second Conference of the Parties, to be held from October 10 to 21, 2005, to facilitate the application of these important international instruments.

9. To instruct the Permanent Council to follow up on this resolution and to present a report on its implementation to the General Assembly at its thirty-sixth regular session.

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

APPENDIX

COMMITTEE ON HEMISPHERIC SECURITY
OF THE PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES

OEA/Ser.K/XXXIV
REGDOT/doc.6/05
19 April 2005
Original: Spanish/English

Meeting of Government Experts to Consider the Advisability
of Developing a Hemispheric Plan of Action against
Transnational Organized Crime

April 18 and 19, 2005
Washington, D. C.

CONCLUSIONS AND RECOMMENDATIONS
OF THE MEETING OF GOVERNMENT EXPERTS TO CONSIDER
THE ADVISABILITY OF DEVELOPING A HEMISPHERIC PLAN OF ACTION
AGAINST TRANSNATIONAL ORGANIZED CRIME

CONCLUSIONS AND RECOMMENDATIONS
OF THE MEETING OF GOVERNMENT EXPERTS TO CONSIDER
THE ADVISABILITY OF DEVELOPING A HEMISPHERIC PLAN OF ACTION
AGAINST TRANSNATIONAL ORGANIZED CRIME

The Government Experts meeting to consider the Advisability of Developing a Hemispheric Plan of Action against Transnational Organized Crime, in the framework of the Committee on Hemispheric Security, in accordance with the General Assembly resolution AG/RES. 2026 (XXXIV-O/04) and the Conclusions and Recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), on April 18 and 19, 2005, in Washington, D.C., agreed as follows:

1. It is advisable to develop a Hemispheric Plan of Action against Transnational Organized Crime (Plan of Action). The Plan of Action should promote the broadest level of coordination of the work of the organs, agencies, entities and mechanisms of the Organization of American States in the fight against transnational organized crime.

2. The Plan of Action should reflect the multidimensional nature of hemispheric security, adopted in the Declaration of Bridgetown: The Multidimensional Approach to Hemispheric Security (2002) and the Declaration on Security in the Americas (2003).

3. Components of the Plan of Action should include:

- i. measures for broad and effective coordination within the Organization and for the support of member states, taking into account paragraph 4;
- ii. a legal framework and promotion of legislative and regulatory development as described in paragraph 5, and
- iii. improvement of national capacities and strengthening hemispheric cooperation, as reflected in paragraph 6.

4. The measures for broad and effective coordination within the Organization and for the support of member states should have a political and a technical dimension.

- a. The political dimension should consist of a special joint committee of the Permanent Council comprised of the Committee on Hemispheric Security and the Committee on Juridical and Political Affairs, in view of the follow-up that the latter provides to the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA), and with the participation of government experts, to draft the Plan of Action and follow-up on its implementation. The General Assembly should request that the Permanent Council establish the said special joint committee. The Plan of Action should be presented for consideration at the Sixth Meeting of REMJA, with a view to its adoption at the Thirty-Sixth Regular Session of the General Assembly. Cooperative action in this area may begin from the time of the establishment of the special joint committee. The Plan of Action

should focus on giving effect to the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto, drawing on the work and relying on the expertise of the organs, agencies, entities and mechanisms of the Organization that currently address this issue.

- b. The Secretary General should oversee the technical dimension of this endeavor by supporting the special joint committee. The Secretary General should convene monthly or bi-monthly meetings of the relevant General Secretariat units, such as the Department of Multidimensional Security, the Department of Legal Affairs and Services, and the Permanent Secretariat of the Inter-American Commission of Women, and report regularly to the special joint committee. The Secretary General should coordinate efforts of the OAS organs, agencies, entities, and mechanisms that currently address this issue with a view to eliminating the duplication of efforts and maximizing institutional resources. The Secretary General's efforts in this regard should begin once the General Assembly has decided that the special joint committee should be established.

5. The Palermo Convention and the three Protocols thereto^{4/} should remain the framework for strengthening international cooperation against transnational organized crime. Measures should be promoted to facilitate the development of legislation by Member States. Efforts undertaken at the United Nations to combat transnational organized crime should not be duplicated at the hemispheric level.

6. The Plan of Action should include a call to implement the Palermo Convention and use existing hemispheric mechanisms to prevent, investigate and prosecute transnational organized crime. Measures to strengthen regional and subregional cooperation among member states should include, *inter alia*, bilateral agreements, mutual legal assistance, asset recovery and/or sharing, institutional cooperation mechanisms, technical assistance, exchange of information, dissemination of best practices, technology transfer, training, special investigation techniques, and confidence-building.

4. Protocol against the Smuggling of Migrants by Land, Sea and Air, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

AG/RES. 2117 (XXXV-O/05)

FOLLOW-UP TO THE SPECIAL CONFERENCE ON SECURITY

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

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”; AG/RES. 1940 (XXXIII-O/03), “Special Conference on Security”; and AG/RES. 1998 (XXXIV-O/04), “Follow-up to the Special Conference on Security”; and in its declaration AG/DEC. 27 (XXXII-O/02), “Declaration of Bridgetown: The Multidimensional Approach to Hemispheric 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 of 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; and

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

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

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; and

EXPRESSING ITS SATISFACTION at the adoption of the Declaration of Quito, arising from the Sixth Conference of Ministers of Defense of the Americas, held in Quito, Ecuador, from November 16 to 21, 2004, as a contribution to information-sharing, mutual confidence, dialogue, and transparency with respect to defense matters in the Hemisphere,

RESOLVES:

1. To urge all member states to continue implementing the Declaration on Security in the Americas, with a view to consolidating peace, stability, and security in the Hemisphere.
2. To request the Permanent Council to continue, through the Committee on Hemispheric Security:
 - a. Coordinating 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. Maintaining 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. Requesting, 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. Conducting 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. Preparing, 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. Considering 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; and
- g. Considering in its work related to the new threats, concerns, and other challenges to hemispheric security, the contributions and cooperation of civil society in this area, where appropriate.

3. To request that the Permanent Council, through the Committee on Hemispheric Security, convene a meeting in 2006 to review the implementation of the Declaration on Security in the Americas by member states and to assess progress achieved to date by the Committee with respect to the follow-up to the Special Conference on Security, in accordance with the mandate contained in paragraph 2 above.

4. To take note of the establishment of the Department of Multidimensional Security as part of the efforts to strengthen the General Secretariat's capacity to better serve the Organization's member states and political bodies in the area of hemispheric security.

5. To take note of the analysis and discussions on the juridical and institutional link between the OAS and the Inter-American Defense Board (IADB), especially in connection with the nature, purpose, and functions of the IADB, as reflected in the report of the Chair of the Committee on Hemispheric Security (CP/CSH-721/05); and to request the Permanent Council to conclude, through the Committee on Hemispheric Security, the analysis and its discussions on the topic, and to prepare and approve, by no later than December 31, 2005, *ad referendum* of the General Assembly, a statute for the IADB to replace its current regulations and amend its basic structure and its relationship with the OAS. The Permanent Council shall convene a special session of the General Assembly within six months after this work is concluded.

6. To reiterate its request to 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.

7. 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.

8. 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), the President of the Association of South-East Asian Nations Regional Forum (ARF), and to other relevant regional organizations.

9. To request the Permanent Council to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution and to present any recommendations it deems appropriate.

AG/RES. 2118 (XXXV-O/05)

FIGHTING THE CRIME OF TRAFFICKING IN PERSONS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report on Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents and Children in the Americas (CP/doc.4023/05);

RECALLING resolutions AG/RES. 2019 (XXXIV-O/04), "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children"; AG/RES. 2026 (XXXIV-O/04), "Fighting Transnational Organized Crime in the Hemisphere"; and AG/RES. 2040 (XXXIV-O/04), "Meeting of Ministers of Justice or of Ministers of Attorneys General of the Americas";

RECOGNIZING that, on May 10, 2005, the Working Group to Prepare for the Meeting of National Authorities on Trafficking in Persons decided that said meeting would approach its study of the subject in an integrated fashion and address the three mandates on the topic, taking into account all OAS efforts against transnational organized crime and, in particular, against trafficking in persons, especially women and children, in keeping with the aforementioned resolutions;

RECOGNIZING ALSO the valuable work and studies of the Inter-American Commission of Women (CIM) on trafficking in persons, especially on its prevention and on the protection of victims, and the need for all OAS bodies and entities to address the topic of trafficking in persons, particularly women and children, in a coordinated manner, so as to achieve a comprehensive perspective; and

TAKING INTO ACCOUNT the conclusions and recommendations of the Meeting of Government Experts to Consider the Advisability of Developing a Hemispheric Plan of Action against Transnational Organized Crime, in accordance with resolution AG/RES. 2026 (XXXIV-O/04), which took place at OAS headquarters on April 18 and 19, 2005,

RESOLVES:

1. To reiterate the request to member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing said Convention, and to take the necessary national measures to implement those instruments.

2. To urge member states to consider, as appropriate, signing or ratifying the Inter-American Convention on International Traffic in Minors.

3. To renew the mandate to the Permanent Council to convene a meeting of national authorities on trafficking in persons, before the thirty-sixth regular session of the General Assembly, with the purpose of studying mechanisms for integral cooperation among states to ensure the

protection of and assistance to victims, prevention of the crime, and punishment of its perpetrators, bearing in mind respect for the human rights of victims. Likewise, the meeting will facilitate the sharing of information and experience, 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.

4. To request that the Permanent Council, through the Working Group to Prepare for the Meeting of National Authorities on Trafficking in Persons, call upon the Inter-American Commission of Women (CIM), the Inter-American Children's Institute (IIN), the Inter-American Commission on Human Rights (IACHR), the Summits of the Americas Secretariat, the Office of Inter-American Law and Programs, the Tourism and Small Enterprise Division, the Inter-American Drug Abuse Control Commission (CICAD), the Department of Multidimensional Security and its Office of International Threats, and the Office of Education, Science, and Technology to work with the United Nations, the International Organization for Migration (IOM), and related international organizations on the preparatory work, so that the topic will be approached from an integrated, comprehensive perspective, in the context of the Palermo Convention.

5. To direct that, with respect to law enforcement aspects and compliance, the topic be considered by the Special Joint Committee on Transnational Organized Crime in collaboration, as appropriate, with the CIM, the IIN, and other relevant organs and entities of the Organization, considering that trafficking in persons is a manifestation of transnational organized crime which involves social aspects that should be addressed through strategies on prevention and attention to the victims.

6. To request the Permanent Council to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution, and to the next Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-VI).

7. To instruct the Secretary General of the Organization to provide the necessary services for the implementation of the measures envisaged in this resolution, in accordance with the resources allocated in the program-budget of the Organization and other resources.

AG/RES. 2119 (XXXV-O/05)

PROMOTION AND STRENGTHENING OF DEMOCRACY

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the reports of the Permanent Council on the implementation of resolutions AG/RES. 2044 (XXXIV-O/04) and AG/RES. 2045 (XXXIV-O/04) (CP/doc.4024/05 and CP/CISC-182/05), and the report of the Secretary General on the implementation of resolution AG/RES. 1993 (XXXIV-O/04) (CP/CISC-174/05);

TAKING INTO ACCOUNT the provisions of the Charter of the Organization of American States;

AWARE 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 one of the essential purposes of the Organization is “[t]o promote and consolidate representative democracy, with due respect for the principle of nonintervention”;

REAFFIRMING 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 OAS Charter and the Inter-American Democratic Charter;

RECALLING that the Inter-American Democratic Charter reaffirmed that the promotion and protection of human rights is a basic prerequisite for the existence of a democratic society, and recognized the importance of the continuous development and strengthening of the inter-American human rights system for the consolidation of democracy;

CONSIDERING the Declaration of Nuevo León of the Special Summit of the Americas, which reaffirmed the Hemisphere’s commitment to democracy and reiterated the commitment to the full application of the Inter-American Democratic Charter, which constitutes an element of regional identity, and, projected internationally, is a hemispheric contribution to the community of nations;

RECALLING 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;

BEARING IN MIND the theme of the Fourth Summit of the Americas, to be held in Mar del Plata, Argentina, on November 4 and 5, 2005: "Creating Jobs to Fight Poverty and Strengthen Democratic Governance";

BEARING IN MIND ALSO the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas [AG/DEC. 31 (XXXIII-O/03)];

REAFFIRMING solidarity and inter-American cooperation as an effective means of promoting and strengthening democratic governance in the respective countries; and

WELCOMING the keynote theme of this thirty-fifth regular session of the General Assembly, in Fort Lauderdale: "Delivering the Benefits of Democracy,"

RESOLVES:

1. To support member states in their efforts to strengthen democratic institutions, values, practices, and governance; to fight corruption; to enhance the rule of law; to bring about the full exercise of human rights; and to reduce poverty, inequity, and social exclusion.

2. To reaffirm that the promotion and protection of human rights is a basic prerequisite for a democratic society, and that it is important to continue to develop and strengthen the human rights system.

3. To invite civil society organizations to continue contributing to the consolidation of democratic governance in the Hemisphere by promoting respect for the rule of law and for the principles, values, and practices set forth in the Inter-American Democratic Charter.

4. To support member states in their efforts to promote the democratic principles, values, and practices set forth in the Inter-American Democratic Charter in their educational systems or programs, according to each country's own system.

5. To recognize the progress achieved by the Permanent Council and the Inter-American Committee on Education, with support from the General Secretariat and inputs by member states, in designing an inter-American program on education for democratic values and practices, which will be presented to the Fourth Meeting of Ministers of Education within the Framework of CIDI.

6. To reiterate the following mandates, entrusted to the Permanent Council:

a. Examine the principal challenges to democratic governance, especially those related to strengthening democratic institutions and promoting economic and social development;

b. Hold a meeting in the first half of each year to review activities undertaken by the Organization in the preceding calendar year to promote and strengthen democracy; and

- c. Hold a meeting on the role of political parties as key players in a democracy, with support from the General Secretariat and with the presence of representatives of the Inter-American Forum on Political Parties (FIAPP).

7. To entrust the General Secretariat, through its Department of Democratic and Political Affairs, with the following activities:

- a. Coordinate the activities and programs of the various 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. Share information with the Community of Democracies process, especially to promote full implementation of the Inter-American Democratic Charter as a hemispheric contribution to that Community; and
- c. Generate initiatives to examine and bring about a better understanding of the role of the media in the promotion and defense of democracy.

8. To request that the General Secretariat, through the Office for the Promotion of Democracy and the Office for the Prevention and Resolution of Conflicts of its Department of Democratic and Political Affairs, as appropriate:

- a. 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;
- b. Develop programs, with competent national authorities in member states who so request, 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;
- c. 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;
- d. 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;

- e. Continue its efforts to promote political dialogue as an instrument for strengthening democratic governance, for conflict prevention and resolution, and for the formulation of government policy with the same objective;
- f. Support the efforts of legislative bodies in member states to promote modernization and institution-building, as well as interparliamentary cooperation on the legislative treatment of key items on the inter-American agenda;
- g. Take into account in its activities the contribution that information and communication technology can make in developing more just, open, and democratic societies;
- h. Present semiannual progress reports on the execution of its work plan;
- i. Promote examination of the relationship between democratic governance and the processes of decentralization and strengthening of 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;
- j. Develop training and skills development 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;
- k. Strengthen its initiatives in the area of electoral observation and technical assistance, by promoting horizontal cooperation;
- l. Provide assistance to the Permanent Council in the area of conflict prevention and resolution and keep it duly informed of the subject;
- m. Provide technical support to special missions established by the Permanent Council in the event of political crisis, at the request of the member state affected, in accordance with the OAS Charter and the Inter-American Democratic Charter; and
- n. Provide assistance to member states that so request in the design of systems for conflict prevention and resolution.

9. To request that the General Secretariat, through the Office for the Promotion of Democracy; the Office of Education, Science, and Technology; 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, as they pertain to democratic governance and social development;

- b. Continue to support the Permanent Council and member states in the design and execution of the Inter-American Program on Education for Democratic Values and Practices and its Plan of Action; and
- c. Continue to develop programs on education for democracy for young people, such as the Program for the Promotion of Democratic Leadership and Citizenship, to further initiatives to promote democratic values among youth in the member states.

10. To encourage member states, and to urge all bodies of the inter-American system, especially the Inter-American Commission of Women (CIM), the Inter-American Commission on Human Rights (IACHR), and the General Secretariat, to continue to collaborate in eliminating obstacles to women's full participation in democratic processes, pursuant to Article 28 of the Inter-American Democratic Charter.

11. To urge member states and permanent observers to continue contributing 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 within 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-sixth regular session on the implementation of this resolution.

AG/RES. 2120 (XXXV-O/05)

PRESENTATION OF CANDIDATES FOR MEMBERSHIP ON
THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
AND THE INTER-AMERICAN COURT OF HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

BEARING IN MIND that the Inter-American Commission on Human Rights is composed of distinguished individuals from the field of human rights who have developed a system for the protection of human rights in the Americas and have consolidated the legal mechanisms needed for effective protection;

CONSIDERING that defense of the individual and of his or her fundamental rights is one of the basic principles on which the Organization of American States was founded, as indicated in Article 3.1 of the Charter of the Organization, which establishes as one of its principles that the American states proclaim the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

CONSIDERING ALSO that the importance of respect for human rights was reaffirmed by the adoption of the American Declaration on the Rights and Duties of Man, a document that complements the OAS Charter and recognizes that the essential rights of man are not derived from the fact that he is a national of a certain state, but are based upon attributes of his human personality, and that the international protection of the rights of man should be the principal guide of an evolving American law;

RECALLING that the basic criteria for guaranteeing the suitability of members of the Commission to be elected should be the requirements set forth in Article 34 of the American Convention on Human Rights, which establishes that the Inter-American Commission on Human Rights shall be composed of seven members, who shall be persons of high moral character and recognized competence in the field of human rights;

RECALLING ALSO that Article 52.1 of the American Convention on Human Rights stipulates that the Court shall consist of seven judges, nationals of the member states of the Organization, elected in an individual capacity from among jurists of the highest moral authority and of recognized competence in the field of human rights, who possess the qualifications required for the exercise of the highest judicial functions in conformity with the law of the state of which they are nationals or of the state that proposes them as candidates; and

TAKING INTO ACCOUNT the need to respect the juridical functions performed by persons elected to serve as members of the juridical bodies and/or human rights protection organs of the OAS and the need to ensure that the selection process for those positions completely protects their independence, impartiality, and juridical integrity,

RESOLVES:

1. To urge member states to continue to present candidates for the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, taking into account the requirements established in Article 34 and Article 52.1 of the American Convention on Human Rights, Article 2 of the Statute of the Inter-American Commission on Human Rights, and Article 4 of the Statute of the Inter-American Court of Human Rights.

2. To invite member states to consider the possibility of organizing consultations with civil society organizations in order to help propose the best candidacies for positions with the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights.

3. To request that the General Secretariat, upon receipt of a candidacy to hold office in one of those bodies, publish the corresponding candidate's curriculum vitae on the OAS website.

AG/RES. 2121 (XXXV-O/05)

ACCESS TO PUBLIC INFORMATION: STRENGTHENING DEMOCRACY^{1/}

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Report of the Chair of the Permanent Council on the Implementation of Resolution AG/RES. 2057 (XXXIV-O/04), "Access to Public Information: Strengthening Democracy" (CP/doc.4025/05), presented on May 11, 2005;

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 public information of all citizens;

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;

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1. The Bolivarian Republic of Venezuela considers the study entrusted to the Inter-American Commission on Human Rights, on how states can guarantee to all of their citizens the right to seek, receive and disseminate public information, to be of paramount importance.

Our Government earnestly requests the Inter-American Commission on Human Rights to place emphasis in its study on how states may guarantee the right of all persons, particularly socially excluded sectors, to receive public information, in the framework of the principle of transparency of information, when that information is disseminated via the media and taking into account the equality of all individuals before the law.

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 states to e-government practices that facilitate information and communication technology applications in governmental processes;

CONSIDERING ALSO that the Office for the Promotion of Democracy (OPD) has been providing support to member states 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” (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 citizens, may contribute to a climate of tolerance of all views, foster a culture of peace, and strengthen democratic governance;

TAKING INTO ACCOUNT the important role civil society can play in promoting broad access to public information;

TAKING NOTE of the Declaration of Principles on Freedom of Expression of the Inter-American Commission on Human Rights; and of the Joint Declaration by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE (Organization for Security and Co-operation in Europe) Representative on Freedom of the Media, and the Special Rapporteur on Freedom of Expression of the Inter-American Commission on Human Rights, adopted on December 6, 2004;

TAKING NOTE ALSO of the reports of the Special Rapporteur on Freedom of Expression of the Inter-American Commission on Human Rights on the situation of access to information in the Hemisphere for 2003 and 2004; 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, as well as the Regional Forum on Access to Public Information: Challenges to Freedom of Information in the Hemisphere, held in Lima, Peru, on January 20 and 21, 2004,

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 urge the states 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. Also to encourage member states, when preparing and/or adjusting their respective legal and regulatory frameworks, as appropriate, to provide civil society the opportunity to participate in that process; and to urge them, when drafting and/or adapting their national legislation, to take into account clear and transparent exception criteria.

5. To encourage member states to take the necessary measures, through their national legislation and other appropriate means, to facilitate access to such information through electronic or any other means that will allow ready access to public information.

6. To instruct the Special Rapporteurship for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) and the Office for the Promotion of Democracy (OPD):

- a. To 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. To assist the Permanent Council in the preparatory work for the special meeting mentioned in operative paragraph 11.a below.

7. To request the Inter-American Juridical Committee to continue to carry out comparative law studies on the protection of personal information.

8. 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.

9. To instruct the Inter-American Commission on Human Rights to conduct a study on how the state can guarantee all citizens the right to seek, receive, and impart public information on the basis of the principle of freedom of expression.

10. 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.

11. To recommend to the Permanent Council that it:
 - a. Convene a special meeting with the participation of experts from the member 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;
 - b. Request the Committee on Juridical and Political Affairs (CAJP) to prepare, on the basis of the report of the special meeting and taking into account the report of the Chair of the Permanent Council on the implementation of resolution AG/RES. 2057 (XXXIV-O/04), a basic document on best practices and the development of common approaches or guidelines for increasing access to public information; and
 - c. Request the General Secretariat to promote seminars, workshops, or other events designed to promote access to public information by citizens and government administrations.

12. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2122 (XXXV-O/05)

PROGRAM FOR DEMOCRATIC GOVERNANCE IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2005)

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, and that one of the Organization's essential purposes is to eradicate extreme poverty;

CONSIDERING 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 and economic and social development are interdependent and mutually reinforcing;

TAKING INTO ACCOUNT 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 that the well-being of their people requires the achievement of three closely linked and interdependent objectives: economic growth with equity to reduce poverty, social development, and democratic governance;

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)]; and

BEARING IN MIND that, in resolution AG/RES. 2045 (XXXIV-O/04), the Permanent Council was instructed to define the Program for Democratic Governance in the Americas, with support from the Office for the Promotion of Democracy and the Office of Education, Science, and Technology of the Executive Secretariat for Integral Development,

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, as well as to the search for 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 "Program for Democratic Governance in the Americas" (CP/CISC-152/05 rev. 4); and to request the Permanent Council to instruct the Office for the Promotion of Democracy of the Department of Democratic and Political Affairs to further develop, in coordination with other areas of the General Secretariat, an annual work plan that includes measurable results and takes resource limitations into account, and to request the organs, agencies, and entities of the

Organization to take into consideration in their respective plans of action the activities contained in the Program.

4. To instruct the Permanent Council to seek, with support from the General Secretariat, the voluntary contributions necessary for implementation of the above-mentioned work plan.

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

AG/RES. 2123 (XXXV-O/05)

PROMOTION OF CORPORATE
SOCIAL RESPONSIBILITY IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN General Assembly resolution AG/RES. 2013 (XXXIV-O/04), "Promotion of Corporate Social Responsibility in the Hemisphere," and reiterating the importance of all its preambular paragraphs;

CONSIDERING that, pursuant to resolution AG/RES. 2013 (XXXIV-O/04), the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) held a joint meeting at which the Inter-American Development Bank (IDB) reported on the results of the conferences on corporate social responsibility held in Panama in 2003 and Mexico in 2004, and on the preparations for the conference to be held in Chile in September 2005; moreover, the OAS General Secretariat reported on its activities in this regard, and presentations were made by representatives of organizations that are spearheading corporate social responsibility in the Hemisphere; and

CONSIDERING that a section on corporate social responsibility was included in the Plan of Action of the Third Summit of the Americas,

RESOLVES:

1. To recognize the achievements of the II Inter-American Conference on Corporate Social Responsibility: Deeds Not Words, held in Mexico City, from September 26 to 28, 2004, at which international experts in various aspects of corporate social responsibility (CSR) participated, along with union leaders, entrepreneurs, government representatives, and civil society, creating an important platform for dialogue and the exchange of experiences to advance the implementation of CSR and environmental policies.

2. To note that the III Inter-American Conference on Corporate Social Responsibility will be held in Santiago, Chile, from September 25 to 27, 2005; and to encourage the participation of member states. Likewise, to instruct the General Secretariat to participate in the event and subsequently to prepare the corresponding report, inviting representatives of the Inter-American Development Bank to report on the Conference's results.

3. To urge member states to support programs and initiatives to promote corporate social responsibility through internationally recognized principles and guidelines, taking into account cooperative initiatives with private sector entities, such as business associations, labor unions, academic institutions, and civil society organizations.

4. To encourage member states to develop, promote, and encourage broader dissemination, exchange of experiences and information, training, and outreach in the area of corporate social responsibility. Likewise, to encourage them to facilitate appropriate participation and cooperation in these efforts by the private sector, business associations, labor unions, academic institutions, and civil society organizations.

5. To suggest to the Permanent Council that an annual meeting be held to exchange information on programs and initiatives and to assess the progress countries have made in implementing policies and measures to promote corporate social responsibility. Participants in the meeting should include the groups identified in operative paragraph 4 of this resolution.

6. To instruct the Secretary General to work through the Executive Secretariat for Integral Development (SEDI) to join efforts with the Inter-American Development Bank (IDB) and other international organizations and contribute to information exchange and capacity-building, to enable member states to be in position to promote CSR in their own private sector community.

7. To recommend to member states that they play an active role in the negotiations under way in the International Organization for Standardization to establish a standard for corporate social responsibility (ISO 26000).

8. To recommend to member states that they become knowledgeable about existing internationally recognized voluntary principles and guidelines, as well as private sector initiatives, to promote corporate social responsibility, and, as appropriate to their circumstances, support such internationally recognized principles and standards and private sector initiatives.

9. To instruct the General Secretariat to support, with any external resources than can be mobilized, the provisions of operative paragraphs 4 and 7 of this resolution.

10. To recommend to member states that, in drawing up the Plan of Action of the Fourth Summit of the Americas, they take into account the results of the III Inter-American Conference on Corporate Social Responsibility.

AG/RES. 2124 (XXXV-O/05)

PROMOTION OF WOMEN'S HUMAN RIGHTS
AND GENDER EQUITY AND EQUALITY

(Adopted at the fourth plenary session, held on June 7, 2005)

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 (CP/doc.4005/05);

CONSIDERING:

That gender mainstreaming is the decisive strategy of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (IAP), adopted by resolution AG/RES. 1732 (XXX-O/00), for attaining the ultimate goal of promoting and protecting women's human rights and gender equity and equality and for achieving equality of rights and opportunities between women and men;

Resolutions AG/RES. 1777 (XXXI-O/01), AG/RES. 1853 (XXXII-O/02), AG/RES. 1941 (XXXIII-O/03), and AG/RES. 2023 (XXXIV-O/04), by which the General Assembly received the successive reports of the Secretary General on the fulfillment of the Program and issued mandates for its implementation;

The commitment made by the Organization of American States 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 sex;

The endorsement of the IAP by the Heads of State and Government in the Plan of Action of the Third Summit of the Americas, and the need to continue promoting initiatives aimed at the integration of a gender perspective in the preparations for the Fourth Summit of the Americas, to be held in Argentina in November 2005;

The role of the Inter-American Commission of Women (CIM) as a technical advisory agency to the Summit Implementation Review Group (SIRG) in all matters relating to gender equity and equality, and the importance of the CIM in following up on the pertinent Summit recommendations and in the preparations for the Fourth Summit of the Americas;

The outstanding work of the CIM as the principal forum for generating hemispheric policy on gender equity and equality, for cooperation between the OAS and the various regional and subregional organs and bodies, and in the implementation of recommendations for promoting sector-wide gender mainstreaming in the areas of labor, justice, education, and science and technology;

The OAS gender mainstreaming project, carried out in coordination with the CIM, and the progress of 20 organs, agencies, and entities in mainstreaming a gender perspective in their respective areas;

The Declaration of Nuevo León of the Special Summit of the Americas (Monterrey, 2004), in which the Heads of State and Government reaffirmed “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 further reiterated their commitment to continue promoting gender equity and equality and the mandates of the Summits of the Americas on this matter; and

Resolution CIM/RES. 230 (XXXII-O/04), “Gender and Access to Decent Work to Address Poverty and Strengthen Democratic Governance,”

RESOLVES:

1. To take note of the fifth 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, submitted in fulfillment of resolution AG/RES. 2023 (XXXIV-O/04); and to urge him to continue giving it his full support.

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, and to continue to support its efforts in:

- a. Follow-up and implementation of the Inter-American Program, including the coordination of preparations for the first meeting of the Inter-Institutional Forum on Gender Equity and Equality (IIFGEE); and
- b. The implementation of activities and programs for gender mainstreaming in the results of ministerial meetings on labor, justice, education, and science and technology.

3. Once again to request the Permanent Council, in fulfillment of the mandates handed down by this General Assembly, by the Summits of the Americas, and by the Inter-American Program, to:

- a. Continue its efforts to integrate a gender perspective into its resolutions, activities, and initiatives to ensure that they benefit women and men on an equal and equitable basis, drawing upon the expertise of the CIM; and
- b. Consider increasing the resources allocated to the CIM in the program-budget, enabling it to carry out its mandates in full.

4. To urge member states to:
 - a. Continue their efforts to develop public policies and strengthen institutional mechanisms for the advancement of women and to ensure the enforcement of laws that promote women's human rights and gender equity and equality, including equal opportunity for women and men at all levels;
 - b. 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;
 - c. Analyze and create responsive programs that take account of the different impact of macroeconomic policies on women and men and that can contribute to positive impacts from 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;
 - d. Include gender-impact considerations in developing their national policies and positions related to the negotiations of bilateral and regional trade agreements, as well as include gender equity and equality as a priority within national and regional trade capacity-building strategies; and
 - e. 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.

5. To urge the Secretary General to:
 - a. Continue to foster the integration of a gender perspective in all programs and policies of the Organization, promoting follow-up and support activities in the OAS gender-analysis training program, in particular 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 integrate a gender perspective into their policies, programs, projects, and activities;
 - c. Work with the CIM to ensure the integration of a gender perspective in developing the programs and actions of all organs, agencies, and entities of the Organization;
 - d. Convene the first meeting of the Inter-Institutional Forum on Gender Equity and Equality (IIFGEE); and

- e. Report to the General Assembly at its thirty-sixth regular session, in coordination with the CIM, on the implementation of the Inter-American Program and of this resolution by the organs, agencies, and entities of the inter-American system.

AG/RES. 2125 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the chapter on this topic in the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05 add. 3), as well as its resolutions AG/RES. 1897 (XXXII-O/02), AG/RES. 1927 (XXXIII-O/03), and AG/RES. 2037 (XXXIV-O/04);

TAKING INTO ACCOUNT:

That in the inter-American system the OAS member states undertake to respect and protect the human rights of persons who have been deprived of freedom, including all applicable rights established in the American Declaration of the Rights and Duties of Man and those established in all other human rights instruments to which they are parties;

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 conclusions and recommendations of the Fourth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-IV), which include a proposal on the preparation of a document to protect the fundamental rights of detained persons (REMJA-IV/doc.24/02 rev. 2);

The conclusions and recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V), contained in its Final Report (REMJA-V/doc.9/04), and, in particular, the recommendation that the states 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”; 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

WELCOMING the strengthening by the Inter-American Commission on Human Rights of the Special Rapporteurship on the Rights of Persons Deprived of Freedom, through the appointment of a Special Rapporteur,

RESOLVES:

1. To urge member states to comply, under all circumstances, with all applicable international obligations to respect the human rights of persons under any form of detention or imprisonment, including the rights established in the American Declaration of the Rights and Duties of Man and those established in all other human rights instruments to which they are party.

2. 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 entities 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, contained in the Final Report of that meeting (REMJA-V/doc.9/04), including the report of the First Meeting of Officials Responsible for Penitentiary and Prison Policies of the OAS Member States (GAPECA/doc.04/03).

3. 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).

4. 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, making reference to any problems and good practices observed.

5. To congratulate and acknowledge those member states that have invited the Special Rapporteur on the Rights of Persons Deprived of Freedom of the Inter-American Commission on Human Rights to visit their countries, including their detention centers; and to encourage all member states to facilitate such visits.

6. 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.

7. To reiterate to the Permanent Council that, on the basis of the results of the discussions and studies conducted, including the inputs of the IACHR, it should consider the possibility of drafting an inter-American declaration on the rights and the care of persons under any form of detention or imprisonment, with a view to strengthening existing international standards on the matter. To that end, the topic should be considered in the context of the Meeting of Officials Responsible for Penitentiary and Prison Policies that is to be held under a mandate of REMJA-V, and national human rights experts should participate in that meeting.

8. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2126 (XXXV-O/05)

PREVENTION OF RACISM AND ALL FORMS OF DISCRIMINATION AND
INTOLERANCE AND CONSIDERATION OF THE PREPARATION
OF A DRAFT INTER-AMERICAN CONVENTION^{1/}

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05 add. 3), as well as resolutions AG/RES. 1712 (XXX-O/00), AG/RES. 1774 (XXXI-O/01), AG/RES. 1905 (XXXII-O/02), AG/RES. 1930 (XXXIII-O/03), and AG/RES. 2038 (XXXIV-O/04);

REAFFIRMING the firm commitment of the Organization of American States to the eradication of racism and all forms of discrimination and intolerance, and the conviction that discriminatory attitudes of this type are a negation of such universal values as the inalienable and inviolable rights of persons and of the purposes, principles, and guarantees provided for in the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Universal Declaration of Human Rights, the Inter-American Democratic Charter, and the International Convention on the Elimination of All Forms of Racial Discrimination;

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 2 of the Universal Declaration of Human Rights, in Article II of the American Declaration of the Rights and Duties of Man, in Article 1 of the American Convention on Human Rights, and in Article 9 of the Inter-American Democratic Charter enshrine respect for human rights and fundamental freedoms, 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;

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1. The United States reserves on paragraphs 1, 7, and 8b because it believes the working group should not begin the process of preparing a new convention against racism. As there is already a robust global treaty regime on this topic, most notably the International Convention on the Elimination of All Forms of Racial Discrimination to which some 170 countries are States Parties, a regional instrument is not necessary and runs the risk of creating inconsistencies with this global regime. The United States supports the creation of a working group, but believes that the working group should be more action oriented in addressing the scourge of racism and discrimination. Such a working group should analyze the forms and sources of racism and discrimination in the Hemisphere and identify practical steps that governments in the Hemisphere might adopt to combat racism and other forms of discrimination, including best practices in the form of national legislation and enhanced implementation of existing international instruments. This would be aimed at bringing immediate and real-world protection against discrimination. In light of this position, the United States cannot, in good faith, join in the consensus on those paragraphs within an OAS resolution that support the preparation of a new convention against racism.

DEEPLY DISTURBED by the general increase in different parts of the world of cases of intolerance of, and violence against, members of many religious communities, including those motivated by Islamophobia, anti-Semitism, and Christianophobia;

RECOGNIZING the existence of groups of people who are victims of longstanding and contemporary manifestations of racism, discrimination, and intolerance;

RECALLING the Twenty-eighth Special Session of the United Nations General Assembly, held on January 24, 2005, which was convened at the request of, among others, 28 member states of the Organization of American States, and which marked the 60th anniversary of the liberation of Nazi death camps;

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”;

RECALLING 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 for 2001 (CP/doc.3545/02);

RECALLING ALSO the study “Judicial System and Racism against Persons of African Descent” (CP/doc.3845/04), prepared by the Justice Studies Center of the Americas (JSCA) in response to the mandate issued in resolution AG/RES. 1930 (XXXIII-O/03);

NOTING WITH SATISFACTION the decision taken by the Inter-American Commission on Human Rights at its 122nd regular session to establish a Special Rapporteurship on the Rights of Persons of African Descent and on Racial Discrimination; and

BEARING IN MIND that resolution AG/RES. 2038 (XXXIV-O/04) instructed the Permanent Council to continue to address, as a matter of priority, the subject of preventing, combating, and eradicating racism and all forms of discrimination and intolerance,

RESOLVES:

1. To instruct the Permanent Council to establish a working group that will receive inputs from member state delegations, the Inter-American Commission on Human Rights (IACHR), the Inter-American Court of Human Rights, the Inter-American Juridical Committee, the Justice Studies Center of the Americas (JSCA), interested OAS organs, agencies, and entities, the United Nations, regional organizations, representatives of indigenous peoples, entrepreneurs, labor groups, and civil society organizations, with a view to the Working Group’s preparation of a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance.

2. To request the JSCA to prepare, within the framework of its mandate and available resources, as a complement to the document “Judicial System and Racism against Persons of African Descent” (CP/doc.3845/04), studies on how the judicial systems of the Hemisphere treat indigenous people and migrants, which shall mention the diverse forms of discrimination that affect the countries of the Hemisphere, as addressed in the Declaration of the Regional Conference of the Americas, held in Santiago, with special attention paid to the following:

- a. The manner in which the courts, through their practices and jurisprudence, recognize and apply international and domestic standards on human rights;
- b. The presence of minorities and indigenous people as staff in the judicial branch and the public defender’s and public prosecutor’s offices of states;
- c. Percentage indicators and analysis of the presence of indigenous people and migrants among the states’ prison populations;
- d. Percentage indicators and analysis of the presence of indigenous people and migrants among all persons processed, prosecuted, and convicted by the states’ judicial systems;
- e. Domestic norms for defending the rights of indigenous people and migrants;
- f. The treatment given by the courts to documented and undocumented migrant workers when the latter are the accused or defendants in criminal proceedings, with special attention to possible differences in how the two groups are treated and in how the two together are treated in comparison with nationals of the respective state;
- g. The treatment given by the courts to documented and undocumented migrants with regard to labor and social security matters; and
- h. The availability of judicial resources to solve questions concerning migration status and their level of efficiency in doing so.

3. To request the JSCA to transmit such studies to the Permanent Council, to the working group referred to in operative paragraph 1 of this resolution, and to the Committee on Juridical and Political Affairs.

4. To urge those member states that have not yet done so to respond to the request for information made by the IACHR on the respective national laws concerning the adoption of policies to promote equality or affirmative action.

5. To request the IACHR to present the conclusions of the study referred to in operative paragraph 3 of resolution AG/RES. 1930 (XXXIII-O/00), on the laws of the member states dealing with the adoption of policies to promote equality or affirmative action.

6. To request the IACHR to continue, within the framework of inter-American and international legal instruments currently in force, to pay due attention 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 to the Permanent Council in due course.

7. To invite the organs, agencies, and entities of the Organization, including the Inter-American Commission of Women (CIM) and the Inter-American Council for Integral Development (CIDI), to prepare inputs on the prevention of racism and all forms of discrimination and intolerance and on the preparation of a draft inter-American convention, for consideration by the Working Group.

8. To request the Permanent Council to instruct the Working Group 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; and
- b. Convene a special meeting of the Working Group to examine and discuss the nature of a future Inter-American Convention against Racism and All Forms of Discrimination and Intolerance that aims to increase the level of protection afforded to human beings against acts of this type, with a view to reinforcing the international standards now in effect, and taking into account the forms and sources of racism, discrimination, and intolerance in the Hemisphere and those manifestations not addressed in existing instruments on the subject. The following would be invited to participate in the special meeting: government experts, representatives of specialized organizations of the inter-American system and other regional systems, members of the United Nations specialized agencies, and representatives of nongovernmental organizations.

9. 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 report to the General Assembly at its thirty-sixth regular session on its implementation.

AG/RES. 2127 (XXXV-O/05)

PROMOTION OF AND RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

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. 1770 (XXXI-O/01), AG/RES. 1771 (XXXI-O/01), AG/RES. 1900 (XXXII-O/02), AG/RES. 1904 (XXXII-O/02), AG/RES. 1944 (XXXIII-O/03), and AG/RES. 2052 (XXXIV-O/04);

RECALLING ALSO that, under the Charter of the Organization of American States, and in view of all applicable provisions of international humanitarian law and human rights law, human rights and fundamental freedoms must always be respected, even in situations of armed conflict;

DISMAYED by the persistent violations of international humanitarian law in the world;

DEEPLY CONCERNED about the suffering of all victims of armed conflict;

AWARE of the need to strengthen respect for the rules of international humanitarian law, by means of their acceptance, their dissemination, and the adoption of measures to ensure their application at the national level;

AWARE ALSO of the need for states 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 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 other provisions and general principles established in international humanitarian law;

UNDERSCORING that this year marks the 25th anniversary of 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;

RECALLING that the Rome Statute of the International Criminal Court defines war crimes, crimes against humanity, and crimes of genocide that the states parties thereto have committed to punishing;

ACKNOWLEDGING WITH SATISFACTION the Declaration and Plan of Action adopted by the Nairobi Summit on a Mine-Free World, held in Nairobi, Kenya, from November 29 to December 3, 2004;

NOTING the observance of the 50th Anniversary of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, in San Salvador from June 21 to 23, 2004;

EXPRESSING ITS SATISFACTION with the cooperation between the Organization of American States and the International Committee of the Red Cross with regard to promoting respect for international humanitarian law and the principles behind said law, one example of which was the joint organization of the Regional Meeting on Harmonizing National Criminal Law with International Humanitarian Law Treaties, held in Mexico City on December 7 and 8, 2004; and

EXPRESSING ITS SATISFACTION ALSO with the holding at the Organization's headquarters, on April 1, 2005, of 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," and of a "Special Meeting of the Committee on Juridical and Political Affairs on the Promotion of and Respect for International Humanitarian Law,"

RESOLVES:

1. To urge the member states and all parties engaged in an armed conflict to honor their obligations under international humanitarian law, including those pertaining to protection of the civilian population and the treatment of prisoners of war.

2. To urge the member states of the Organization that have not yet done so to consider becoming party to the following treaties:

- a. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and its 1954 and 1999 Protocols, respectively;
- b. The 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;
- c. The 1977 Additional Protocols (I and II) to the 1949 Geneva Conventions; and to consider making the declaration contemplated in Article 90 of Additional Protocol I;
- 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 1989 Convention on the Rights of the Child, and its 2000 Optional Protocol on the involvement of children in armed conflict;
- f. The 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

- g. The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction;
- h. The 1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA);
- i. The 1998 Rome Statute of the International Criminal Court; and
- j. The 1994 Convention on the Safety of United Nations and Associated Personnel.

3. To urge member states to adopt the necessary legislative and administrative measures to implement any international humanitarian law instruments to which they are party, with particular attention to the following obligations, as applicable:

- a. Suppression of war crimes pursuant to the provisions of the 1949 Geneva Conventions and their 1977 Additional Protocol I, with regard to definition of the crimes, universal jurisdiction, and the responsibility of superiors, without any distinction as to international or internal armed conflicts;
- b. Full cooperation with the International Criminal Court, in particular in the investigation and prosecution of crimes within its jurisdiction;
- c. Regulation of the use of, and protection of, the red cross and red crescent emblems, and punishment for the misuse thereof, in accordance with the 1949 Geneva Conventions and their two 1977 Additional Protocols;
- d. Dissemination of the rules of international humanitarian law, in particular by their incorporation into military instruction programs;
- e. Adoption of effective measures to prevent the disappearance of persons in cases of armed conflict or other situations of armed violence, determination of the fate of those who have disappeared, and attending to the needs of family members;
- f. Protection of cultural property from the effects of armed conflict, including internal violence, by such means as the identification, registry, and marking of said property;
- g. Prohibition of the recruitment of children under 18 years of age into the armed forces or armed groups, and of their participation in hostilities, in accordance with the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
- h. Prevention and suppression of any activity in which the states parties are prohibited from engaging under the 1997 Convention on the Prohibition of

the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction, by persons or in territory under their jurisdiction or control; and

- i. 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.

4. To urge member states to bring about the widest possible dissemination of the rules of international humanitarian law in particular by their incorporation into military doctrine and manuals, as well as among the entire civilian population.

5. To invite the states parties to the Rome Statute to define in their criminal legislation the crimes set forth in that treaty.

6. To call on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.

7. To urge member states to continue to support the work of national committees or commissions responsible for the dissemination and implementation of international humanitarian law; and to urge states where such bodies do not exist to consider establishing them, with support from the International Committee of the Red Cross (ICRC).

8. 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 illicit manufacturing of and trafficking in firearms 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).

9. To request the General Secretariat to continue to organize, through the Office of Inter-American Law and Programs of the Department of Legal Affairs and Services and in coordination with the ICRC, governmental conferences to disseminate, and to reinforce the implementation of, international humanitarian law and related inter-American conventions.

10. To instruct the Permanent Council to continue to organize, with support from the Office of Inter-American Law and Programs of the Department of Legal Affairs and Services, and in cooperation with the ICRC, special meetings on topical issues in the area of international humanitarian law.

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

AG/RES. 2128 (XXXV-O/05)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4474/05); 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 (IACHR) 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 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”;

THANKING the Government of Mexico for the invitation it extended to the IACHR to hold the special session that took place, with the participation of the Court, in Mexico from July 19 to 23, 2004, as a means of promoting the inter-American system of human rights; and

UNDERSCORING the initiative of the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and Inter-American Institute of Human Rights to hold jointly, in San José, Costa Rica, during a session of the Court, the First Specialized Course for Government Officials on the Use of the Inter-American Human Rights System,

RESOLVES:

1. To adopt the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Commission on Human Rights (AG/doc.4474/05) 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 (IACHR) to enhance the protection and promotion of human rights and the reinforcement of the rule of law in the Hemisphere.

3. To encourage 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 IACHR, including, *inter alia*, precautionary measures; and
 - c. Continue to take appropriate action in connection with the annual reports of the IACHR, in the context of the Permanent Council and the General Assembly.
4. To note with satisfaction the decisions taken by the governments of member states to invite the IACHR to visit their respective countries and to encourage all member states to continue this practice.
5. To encourage member states to continue inviting the IACHR to hold special sessions away from its headquarters.
6. To request the IACHR to present for the information of member states a detailed report on the special session held, with the participation of the Inter-American Court of Human Rights, in Mexico from July 19 to 23, 2004.
7. To urge the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights to continue to hold specialized seminars for government officials on the inter-American system for the promotion and protection of human rights.
8. To reiterate the importance of the application of the friendly settlement mechanism among parties concerned, in accordance with the American Convention on Human Rights and the Statute and Rules of Procedure of the Inter-American Commission on Human Rights.
9. To take the following actions with regard to financing of the IACHR:
 - a. Instruct the Permanent Council to continue analyzing ways to achieve an effective and adequate increase in the financial resources allocated to the IACHR in the program-budget of the Organization. To that effect, request the Secretary General of the Organization to present, sufficiently in advance of the thirty-sixth regular session of the General Assembly, a proposal on alternative ways of achieving the effective and adequate increase in the financial resources allocated to the Commission in the program-budget of the Organization;
 - b. Invite member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights;

- c. Thank member states, permanent observers, and institutions that have made voluntary contributions to the IACHR; and
 - d. Suggest to donors that, to the extent possible, part of the voluntary contributions that they make not be earmarked for specific purposes, to give the Commission flexibility in allocating resources among its various activities and projects.
10. To invite the IACHR to:
- a. Continue to take into account the observations and recommendations of the member states on its annual report and to adopt such measures as it considers pertinent based on such observations and recommendations;
 - b. Continue to publish on its Internet page, when member states so request, their observations and recommendations on its annual report to the General Assembly;
 - c. 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
 - d. Continue to participate, through the members of the Commission, in the dialogue with member states, in the context of the Committee on Juridical and Political Affairs (CAJP), 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, the friendly settlement procedure, the procedures followed by the IACHR in the review and initial processing of petitions, including the periods of time allowed to do so, *inter alia*, and to explain the role of the IACHR in proceedings before the Inter-American Court of Human Rights.
11. To instruct the CAJP, with a view to implementing operative paragraph 10.d, to schedule meetings to continue its dialogue with the members of the IACHR.
12. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2129 (XXXV-O/05)

OBSERVATIONS AND RECOMMENDATIONS ON THE ANNUAL REPORT
OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4475/05);

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 preceding year. It shall specify, in particular, the cases in which a state has not complied with its judgments, making any pertinent recommendations”;

TAKING NOTE of the most recent Advisory Opinion, OC-18/03, “Juridical Condition and Rights of the Undocumented Migrants,” issued by the Inter-American Court of Human Rights on September 17, 2003;

EXPRESSING ITS APPRECIATION to the Government of Paraguay for its offer to host the special session of the Inter-American Court of Human Rights held from May 9 to 13, 2005, as a means of promoting the inter-American human rights system; and

HIGHLIGHTING the initiative of the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, and Inter-American Institute of Human Rights to hold jointly, in San José, Costa Rica, during a session of the Court, the First Specialized Course for Government Officials on the Use of the Inter-American Human Rights System,

RESOLVES:

1. To adopt the observations and recommendations of the Permanent Council on the Annual Report of the Inter-American Court of Human Rights (AG/doc.4475/05); 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 American Convention on Human Rights 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, in a timely fashion, 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:

- a. 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; and
- b. The jurisprudence of the Inter-American Court of Human Rights for the effective exercise of and respect for human rights in the Hemisphere; and consequently the dissemination of its decisions by the member states, as they deem it appropriate.

6. To instruct the Permanent Council to:

- a. Continue its consideration of the issue of “Access of victims to the Inter-American Court of Human Rights (*jus 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”; the revised Rules of Procedure of the Inter-American Court of Human Rights and of the Inter-American Commission on Human Rights; and taking into account the need to maintain procedural equity and to redefine the role of the Commission in proceedings before the Court;
- b. Continue to consider means of encouraging compliance by member states with the judgments of the Court; and

- c. 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, which will take into account the suggestions made by the Court itself in its Annual Report for 2004, including, among other things, the possibility of increasing the number and the length of its sessions. To that effect, request the Secretary General of the Organization to present a proposal, sufficiently in advance of the thirty-sixth regular session of the General Assembly, with alternatives for bringing 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.

7. In addition, to urge member states to contribute to the Specific Fund for Strengthening the Inter-American System for the Protection and Promotion of Human Rights. Also to thank member states, permanent observers, and institutions that have made voluntary contributions to the Inter-American Court of Human Rights.

8. To encourage member states to continue to invite the Inter-American Court of Human Rights to hold special sessions away from its headquarters.

9. To urge the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, and the Inter-American Institute of Human Rights to continue to hold specialized seminars for government officials on the inter-American system for the promotion and protection of human rights.

10. To invite the Inter-American Court of Human Rights to continue to participate, with its judges, in the dialogue with member states in the reflection process on strengthening the inter-American human rights system, within the context of the Committee on Juridical and Political Affairs.

11. To urge member states to consider the signature and ratification of, ratification of, or accession 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.

12. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2130 (XXXV-O/05)

THE HUMAN RIGHTS OF ALL MIGRANT WORKERS
AND THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 7, 2005)

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.3476/05 add. 3);

TAKING INTO ACCOUNT:

Its resolutions AG/RES. 1717 (XXX-O/00), AG/RES. 1775 (XXXI-O/01), AG/RES. 1898 (XXXII-O/02), AG/RES. 1928 (XXXIII-O/03), and AG/RES. 2027 (XXXIV-O/04); and

The Annual Report of the Inter-American Commission on Human Rights to the General Assembly (CP/doc.3984/05), especially the chapter on the situation of migrant workers and members of their families in the Hemisphere;

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 migrant programs adopted by some countries, which permit the integration of migrants into the receiving countries, facilitate family reunification, and promote a climate of harmony, tolerance, and respect;

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-16/99, "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-18/03, "Juridical Condition and Rights of the 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 *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 Rapporteur on Migrant Workers and Their Families and 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, whose work culminated in the preparation of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families;

NOTING the special meeting of the Working Group to Prepare an Inter-American Program, in which government experts from the member states participated, as well as representatives of organs and agencies of the United Nations, organs of the inter-American human rights system, the International Organization for Migration (IOM), intergovernmental organizations, the Ibero-American Federation of Ombudsmen, and civil society organizations, among others;

NOTING ALSO the broad participation of OAS member states, at the International Labour Conference, in June 2004, in the consideration of its agenda item “Migrant workers (*general discussion based on an integrated approach*)”;

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;

BEARING IN MIND that migrants are often victims of crimes, mistreatment, discrimination, racism, and xenophobia, and that women migrants who are unaccompanied or heads of household are especially vulnerable to gender-based violence and other forms of sexual and labor exploitation, which calls for broad cooperation to address these situations; and

BEARING IN MIND ALSO that all migrants and their advocates have a duty and obligation to obey all laws of sending, transit, and receiving countries,

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 cases 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-16/99 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 *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-18/03 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 member states to consider the adoption of programs aimed at integrating migrants into their societies, in order to promote a climate of harmony, tolerance, and respect.

5. To encourage dialogue and cooperation among member states so as to improve their migration policies and practices with a view to providing adequate protection to all migrants, migrant workers, and their families.

6. 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.

7. To welcome 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.

8. To instruct the Permanent Council to continue supporting the work of the Inter-American Commission on Human Rights (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).

9. To instruct the relevant organs, agencies, and entities of the Organization to support the execution of and, when appropriate, to implement the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families.

10. 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, in that context, to 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.

11. 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. Providing its Special Rapporteurship on Migrant Workers and Their Families with the necessary and appropriate means to perform its duties, within the resources allocated in the program-budget of the Organization and other resources; and
- c. Presenting to the Permanent Council a report on the status of the rights of migrant workers and their families prior to the thirty-sixth regular session of the General Assembly.

12. To invite the member states; permanent observers; 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.

13. To urge 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.

14. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2131 (XXXV-O/05)

SITUATION OF THE INTER-AMERICAN INDIAN INSTITUTE

(Adopted at the fourth plenary session, held on June 7, 2005)

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) and AG/RES. 2046 (XXXIV-O/04), "Support for the Restructuring of the Inter-American Indian Institute";

HAVING SEEN the Annual Report of the Inter-American Indian Institute (CP/doc.3986/05); and

CONCERNED over the difficult financial situation that the Inter-American Indian Institute has endured for a considerable period of time,

RESOLVES:

1. To instruct the Permanent Council to conduct an analysis of the situation facing the Inter-American Indian Institute, in the first quarter of 2006, including an evaluation of its prospects.
2. To request the Permanent Council to submit its recommendations to the General Assembly at its thirty-sixth regular session.

AG/RES. 2132 (XXXV-O/05)

STRENGTHENING OF THE NATIONAL HUMAN RIGHTS SYSTEMS OF THE
MEMBER STATES AND SUPPORT FOR THE WORK OF DEFENDERS OF
THE PEOPLE, DEFENDERS OF THE POPULATION, AND HUMAN RIGHTS
ATTORNEYS OR COMMISSIONERS (OMBUDSMEN)

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

AFFIRMING that in the Charter of the Organization of American States the member states proclaimed the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

AFFIRMING ALSO that the member states, whether in their national constitutions or under their domestic law, have recognized the universal, indivisible, and interdependent nature of human rights and the obligation to respect and protect the rights and fundamental freedoms of human beings;

TAKING INTO ACCOUNT that the fundamental objective of national systems for the promotion and protection of human rights is to safeguard the rights of the individual;

BEARING IN MIND the Principles relating to the Status of National Institutions, "Paris Principles," adopted by the United Nations General Assembly in its resolution 48/134, of December 20, 1993;

REAFFIRMING the importance of the inter-American human rights system, whose organs have competence to promote the observance of human rights in all member states of the Organization, in accordance with the commitments undertaken by each state, and which operate in a manner subsidiary to national jurisdictional systems, on the basis of the exhaustion of domestic remedies;

RECALLING resolutions AG/RES. 1505 (XXVII-O/97), AG/RES. 1601 (XXVIII-O/98), and AG/RES. 1670 (XXIX-O/99), in which the General Assembly recognized the work of ombudsmen in the Hemisphere, a concept recognized in the law of member states with names such as defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners, and also renewed its support for the activities of the Ibero-American Federation of Ombudsmen, the latest Annual Congress of which was held in Quito, Ecuador, in November 2004, with OAS participation;

UNDERSCORING EQUALLY the work done by the Caribbean Ombudsmen's Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, and the Central American Ombudsman Council;

RECALLING ALSO the exhortation contained in the aforementioned resolutions that member states of the inter-American system adopt measures to ensure that the defenders of the people, defenders of the population, human rights attorneys, and human rights commissions enjoy political, administrative, and financial independence; and

TAKING INTO CONSIDERATION the Plan of Action of the Third Summit of the Americas, held in Quebec City, Canada, as it pertains to strengthening the capacity of national institutions responsible for the promotion and protection of human rights,

RESOLVES:

1. To reaffirm the fundamental importance of national human rights systems for the promotion and protection of human rights and strengthening the rule of law and social justice for the consolidation of democracy.

2. To reiterate its support for the politically, administratively, and financially independent work of the ombudsmen or defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners in the countries of the Hemisphere, in the promotion and protection of human rights.

3. To recommend to member states that do not yet have institutions of the kind to which this resolution refers that they consider the possibility of establishing and operating them within the framework of their legal order.

4. To encourage the governments and organs of the inter-American system to promote the establishment of forums for dialogue between institutions of the kind to which this resolution refers and the pertinent organs of the inter-American system, in order to strengthen their contribution to the democratic order in the Hemisphere.

5. To renew OAS support for the work of the Ibero-American Federation of Ombudsmen, the Caribbean Ombudsmen's Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, and the Central American Ombudsman Council, and to suggest to the member states involved that they consider the study of their conclusions and recommendations.

6. To recommend to the Committee on Juridical and Political Affairs of the Permanent Council that it consider inviting the institutions of the kind to which this resolution refers to participate in the dialogue to be conducted among the member states on human rights topics, for the reason that their presence is necessary.

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

AG/RES. 2133 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Inter-American Children's Institute to the General Assembly (CP/doc.3994/05);

Resolution 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," in which the General Assembly adopted that Program (AG/doc.4343/04);

Resolution CD/RES. 18 (79-04) of the Directing Council of the Inter-American Children's Institute (IIN), "Implementation of the Inter-American Program of Cooperation for the Prevention and Remedy Cases of International Abduction of Children by One of Their Parents"; and

The Hague Convention on the Civil Aspects of International Child Abduction, of October 25, 1980, and the Inter-American Convention on the International Return of Children, of July 15, 1989;

RECALLING that the Plan of Action of the Third Summit of the Americas, "encourage[s] cooperation to reduce cases of international abduction of children by one of their parents";

CONSIDERING:

That in resolution AG/RES. 2028 (XXXIV-O/04) the General Assembly urged member states to promote the application of the Inter-American Program to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents and invited the Inter-American Children's Institute to lend its technical support, in particular through coordination with central authorities responsible for the application of conventions and through cooperation with other international organizations having expertise in this field;

That in resolution CD/RES. 18 (79-04) the Directing Council of the IIN requested the Director General of the IIN to invite the central authorities to an initial meeting for the purpose of implementing the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents, in the first half of 2005, contingent upon the availability of resources; and

That the financial situation facing the IIN, as indicated in its annual report to the General Assembly, and the financial situation of the OAS, as underscored in the message of the OAS Acting

Secretary General in the proposed program-budget of the Organization for 2006, have made it difficult to carry out the mandate indicated in the preceding paragraph; and recognizing also that the IIN must have appropriate funding to carry out all its activities;

TAKING INTO ACCOUNT the interest in the earliest possible implementation of the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents; and

TAKING INTO ACCOUNT ALSO the IIN Strategic Plan 2005-2008 and the Institute's preliminary budget adopted at the special meeting of the Directing Council of the IIN, held in Brasilia from April 25 to 27, 2005,

RESOLVES:

1. To encourage 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 1989 Inter-American Convention on the International Return of Children; and to urge the states parties to either or both of those Conventions to designate the appropriate central authorities and make them operational.

2. To request the Inter-American Children's Institute (IIN) to consider, through its Directing Council, convening as soon as possible the Meeting of Government Experts envisaged in the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents, with special participation by the heads of the central authorities.

3. To request the IIN, through its Directing Council, to consider drafting the work plan envisaged in the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents, in order to carry out the various components of the Program, and to draft the agenda for the Meeting of Government Experts.

4. To reiterate the request that appropriate resources be allocated to the IIN in the program-budget of the Organization for the development and implementation of the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents, in the framework of the IIN Strategic Plan 2005-2008.

5. To instruct the Permanent Council to establish a specific fund for voluntary contributions, to be called the "Fund for the Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Children by One of Their Parents," in support of its implementation; and to urge member states, permanent observers, regional and international organizations, and civil society organizations to contribute to the Fund.

6. To request the Inter-American Children's Institute to present an annual progress report to the Permanent Council on the implementation, development, and evaluation of the Inter-American Program.

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

AG/RES. 2134 (XXXV-O/05)

PERSONS WHO HAVE DISAPPEARED AND ASSISTANCE
TO MEMBERS OF THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1904 (XXXII-O/02), AG/RES. 1944 (XXXIII-O/03), and AG/RES. 2052 (XXXIV-O/04);

TAKING INTO ACCOUNT that the problem of persons who have disappeared and assistance to members of their families is addressed under both international humanitarian law and international human rights law within their respective spheres of application, being different fields of law;

RECALLING ALSO the four Geneva Conventions of August 12, 1949, and the two Additional Protocols thereto, of 1977, on armed conflict of an international nature and armed conflict not of an international nature;

TAKING NOTE of the results of the International Conference of Governmental and Non-Governmental Experts on the Missing, held in Geneva, Switzerland, from February 19 to 21, 2003, as well as the results of the Regional Conference on persons missing during armed conflicts or other situations of internal violence, held in Lima, Peru, from May 28 to 30, 2003;

TAKING NOTE ALSO of the Declaration and Agenda for Humanitarian Action, adopted by resolution 1 of the 28th International Conference of the Red Cross and Red Crescent, held in Geneva, Switzerland, from December 2 to 6, 2003, which address the question of persons missing as a result of armed conflict or other situations of armed violence;

RECALLING:

The Inter-American Convention on Forced Disappearance of Persons, adopted on June 9, 1994, and noting with satisfaction that the Government of Colombia deposited its instrument of ratification of the Convention this year, which brings to 11 the total number of ratifications and accessions; and

The Declaration on the Protection of All Persons from Enforced Disappearances, adopted by the United Nations General Assembly by its resolution 47/133, of December 18, 1992;

TAKING INTO ACCOUNT resolution 2005/66, "Right to Truth," adopted by the United Nations Commission on Human Rights on April 20, 2005;

RECALLING that the Rome Statute of the International Criminal Court defines the enforced disappearance of persons as a crime against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack;

DEEPLY CONCERNED over the suffering caused both by the disappearance of persons as a result of armed conflict or other situations of armed violence and by forced disappearances;

MINDFUL of the need to prevent the disappearance of persons, to ascertain the fate of those who have disappeared, and to respond to the needs of members of their families, both in situations of armed conflict or other situations of armed violence and in cases of forced disappearances;

CONVINCED that compliance with international humanitarian law by all parties involved in an armed conflict would, in large measure, prevent disappearances, and also convinced that the member states are duty-bound to observe and protect human rights in order to prevent forced disappearances; and

CONVINCED ALSO of the need to continue to apply or to develop effective national mechanisms for preventing, and applying sanctions for, the disappearance of persons and for searching for and locating missing persons,

RESOLVES:

1. To urge all parties involved in armed conflict or other situations of armed violence to prevent the disappearance of persons, in accordance with the provisions of international humanitarian law, as applicable; and likewise to urge member states to observe and protect human rights, in order to prevent forced disappearances.

2. To urge member states to promote, through the appropriate national authorities, the design and application of policies for preventing the disappearance of persons and for searching for and locating missing persons.

3. To urge member states to issue notification when persons are deprived of their freedom, to respect their right to maintain contact with their relatives, and to conduct efforts to make means of personal identification available to persons, especially those who are at risk of disappearance.

4. To urge those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the Inter-American Convention on Forced Disappearance of Persons.

5. To urge all states parties to the Inter-American Convention on Forced Disappearance of Persons to define forced disappearance as an offense under their national law, on the basis of that Convention, so as to prevent, punish, and eradicate the act of forced disappearance of persons.

6. To urge member states to take all feasible measures to make clear the circumstances and the fate of persons who have disappeared, to notify their relatives, and to take appropriate measures to guarantee an impartial investigation by the competent authorities.

7. To urge member states to proceed as expeditiously as possible, once human remains have been found, to identify them, to determine whether they belong to persons who have disappeared, and, if so, to notify their relatives.

8. To urge member states, to the extent of their ability, to attend to the needs of relatives of missing persons, especially with regard to material, psychological, social, and legal support, taking into account the particular needs of female heads of household.

9. To urge member states to adopt the necessary measures to prevent the impunity of, and to bring to justice, the parties responsible for crimes related to the disappearance of persons as a result of armed conflict or other situations of armed violence, or in the case of forced disappearances.

10. To urge member states to cooperate among themselves, as appropriate, in addressing the problem of the disappearance of persons.

11. To encourage member states to request support in addressing this problem, when they deem it appropriate, from international and civil society organizations.

12. To instruct the Permanent Council to follow up on this resolution.

AG/RES. 2135 (XXXV-O/05)

SUPPORT FOR AND MONITORING OF ACTIVITIES RELATED TO
THE WORLD SUMMIT ON THE INFORMATION SOCIETY

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Heads of State and Government of the Americas at the Third Summit of the Americas, held in Quebec City, Canada, in April 2001, recognized that an extraordinary technological revolution is taking place, with profound social, cultural, political, and economic repercussions, and declared their firm conviction that promoting a connectivity agenda for the Americas will facilitate integration in the Hemisphere;

That the Latin American and Caribbean Regional Ministerial Preparatory Conference for the World Summit on the Information Society, held with assistance from the Economic Commission for Latin America and the Caribbean (ECLAC), in the Dominican Republic from January 29 to 31, 2003, adopted the Declaration of Bávaro;

That the First Phase of the World Summit on the Information Society (WSIS) was held in Geneva, Switzerland, from December 10 to 12, 2003, and adopted the Declaration of Principles and Plan of Action of the World Summit on the Information Society; and

That the Second Phase of the World Summit on the Information Society will take place in Tunis, Tunisia, from November 16 to 18, 2005, and will mainly focus on: (a) follow-up to and implementation of the Declaration of Principles and Plan of Action adopted in Geneva; (b) review of the report of the Task Force on Financial Mechanisms (TFFM) and adoption of appropriate measures; and (c) Internet Governance;

BEARING IN MIND:

That Article 33 of the Charter of the Organization of American States establishes that “development 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”;

That, furthermore, Article 47 of the OAS Charter establishes that the member states will give primary importance within their development plans to the encouragement of education, science, technology, and culture, oriented toward the overall improvement of the individual, and as a foundation for democracy, social justice, and progress;

That the Plan of Action of the Agenda for Connectivity in the Americas states that “there is agreement among governments which have started down the road to connectivity that there is a need to develop national initiatives to facilitate a country’s entry into the information society for the general purpose of stimulating socioeconomic development and, in particular, enhancing the quality of life of citizens”;

That the objective of the Plan of Action approved in the First Phase of the WSIS is “to build an inclusive Information Society; to put the potential of knowledge and ICTs at the service of development; to promote the use of information and knowledge for the achievement of internationally agreed development goals”;

That in the Declaration of Nuevo León, adopted at the Special Summit of the Americas, held on January 13 and 14, 2004, in Monterrey, Mexico, the Heads of State and Government of the Hemisphere reiterated their commitment to the Declaration of Principles of the World Summit on the Information Society and continued implementation of the Agenda for Connectivity in the Americas and the Plan of Action of Quito, and reaffirmed their commitment to build a people-centered, inclusive, and development-oriented information society, inspired by objectives of social inclusion, poverty reduction, and progress in the framework of balanced economic and social development; and

That the Latin American and Caribbean Regional Ministerial Preparatory Conference for the Second Phase of the World Summit on the Information Society will be held in Rio de Janeiro, Brazil, from June 8 to 10, 2005;

ACKNOWLEDGING:

That the Information Society must be geared to eliminating the socioeconomic differences in our societies and avoiding the emergence of new forms of exclusion, to full respect for human rights, including the right to development, and to becoming a positive force for all peoples of the world, reducing the divide between developing and developed countries, as well as the divides within countries; and

That the information society must serve the public interest and social welfare, by contributing to the eradication of poverty, the generation of wealth, the promotion and enhancement of social development, democratic participation, linguistic diversity, and cultural identity, while at the same time affording equal opportunities for access to information and communication technologies, subject always to the principle of legality in order to guarantee their efficient and orderly use; and

TAKING INTO ACCOUNT:

That the effort to forge an information society must encompass access to information and communication technologies; their effective use through coordinated local, regional, and global actions; and their implementation for public and social purposes in areas such as government, health, and education;

That it is necessary to carry out consultations and preparatory work at the regional level for the Second Phase of the Summit, in Tunis in November 2005;

That the Executive Secretariat for Integral Development has developed various programs in support of the promotion of information and communication technologies in member states; and

That the Inter-American Telecommunication Commission (CITEL) is the principal inter-American forum for dialogue on telecommunication issues and that it acts as a catalyst for strengthening ties between governments and the private sector and as a coordinator for implementation of the mandates that emerge from the Summits of the Americas in its sphere of competence,

RESOLVES:

1. To reiterate the commitment of member states to the Declaration of Principles and Plan of Action of Geneva of the World Summit on the Information Society; and to underscore the importance of promoting regional actions, coordinated between the public sector, civil society, and the private sector, that are conducive to implementation of the postulates set forth in that Declaration, as a way of contributing to the economic and social development of the Hemisphere.

2. To request the General Secretariat to play an active part, through the Executive Secretariat for Integral Development (SEDI), including the Secretariat of the Inter-American Telecommunication Commission (CITEL), and in keeping with its mandate, in the regional coordination process of achieving sufficient harmonization of the regional actions to develop the Information Society and of establishing a proactive national and regional strategic vision among member states, in such a way as to meet the global commitments undertaken in connection with the Plan of Action of the World Summit on the Information Society.

3. To urge member states to establish, with support from the highest-level political bodies and fostering close cooperation among the public sector, civil society, and the private sector, forums and mechanisms for promoting, coordinating, and evaluating connectivity and hence further development of the Information Society in the region, in accordance with both regional and global commitments, taking into account, *inter alia*, the work currently being done in the Program for the Information Society in Latin America and the Caribbean (INFOLAC).

4. To urge member states to identify and strive to attain opportunities for technical cooperation and assistance, pursuant to the principle of digital solidarity agreed upon in the Declaration of Principles of the World Summit on the Information Society.

5. To urge member states to establish proactive sustainable policies to support information and communication technologies (ICTs) and to reinforce the continuity of the initiatives generated in the effort to implement the Agenda for Connectivity in the Americas and Plan of Action of Quito, and to present the outcomes at the 2006 meeting of the Inter-American Council for Integral Development (CIDI) as well as at the Fourth Regular Meeting of the CITEL Assembly, to be held in the first quarter of 2006.

6. To entrust the Fourth Regular Meeting of the CITEL Assembly with the task of defining, on the basis of the aforementioned information, action plans containing concrete activities and measurable goals, in its sphere of competence.

7. To request the General Secretariat to report, through SEDI, on the conclusions of the Latin American and Caribbean Regional Ministerial Preparatory Conference for the Second Phase of the World Summit on the Information Society (Rio de Janeiro, Brazil, June 8-10, 2005).

8. To instruct the General Secretariat to report to the Permanent Council prior to the thirty-sixth regular session of the General Assembly on the implementation of this resolution.

AG/RES. 2136 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the observations and recommendations of the Permanent Council (AG/doc.4485/05) on the annual reports presented by the following: the Inter-American Council for Integral Development (CIDI) (CP/doc.4026/05), the Inter-American Institute for Cooperation on Agriculture (IICA) (CP/doc.3985/05), the Pan American Health Organization (PAHO) (CP/doc.4003/05), the Inter-American Commission of Women (CIM) (CP/doc.3979/05), the Inter-American Telecommunication Commission (CITEL) (CP/doc.3987/05), the Inter-American Drug Abuse Control Commission (CICAD) (CP/doc.4033/05), the Inter-American Committee against Terrorism (CICTE) (CP/doc.4035/05), the Inter-American Children's Institute (IIN) (CP/doc.3994/05), the Inter-American Indian Institute (III) (CP/doc.3986/05), the Pan American Institute of Geography and History (PAIGH) (CP/doc.4002/05), the Justice Studies Center of the Americas (JSCA) (CP/doc.3976/05), and the Administrative Tribunal of the OAS (TRIBAD) (CP/doc.3975/05);

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), AG/RES. 1952 (XXXIII-O/03), and AG/RES. 2025 (XXXIV-O/04).

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 the projects it has been carrying out pursuant to its Strategic Plan; and to urge it to continue its efforts to raise the resources needed to execute the projects agreed upon in the new plan, for 2005-2008.

12. To commend the Pan American Institute of Geography and History (PAIGH) for the activities it has carried out, especially in support of border demarcation.

13. 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.

14. 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. 2137 (XXXV-O/05)

SUPPORT FOR THE WORK OF
THE INTER-AMERICAN COMMITTEE AGAINST TERRORISM

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4485/05), in particular as they pertain to the Annual Report of the Inter-American Committee against Terrorism to the General Assembly (CP/doc.4035/05);

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), AG/RES. 1964 (XXXIII-O/03), and AG/RES. 2051 (XXXIV-O/04), "Support for the Work of the Inter-American Committee against Terrorism";

REITERATING WITH RENEWED CONCERN that the threat of terrorism is exacerbated by 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 Fifth Regular Session of the Inter-American Committee against Terrorism (CICTE) was held in Port-of-Spain, Trinidad and Tobago, from February 16 to 18, 2005, on which occasion the member states adopted the Declaration of Port-of-Spain on Strengthening Cooperation on Strategies to Sustain and Advance the Hemispheric Fight against Terrorism, the CICTE Work Plan, and amendments to the Rules of Procedure of the Committee, and agreed to convene the Second Meeting of Government Cybersecurity Practitioners;

REAFFIRMING that terrorism, whatever its origin or motivation, has no justification whatsoever, and that, in keeping with the Declaration of Port-of-Spain, adopted by the member states at the Fifth Regular Session of CICTE, terrorism constitutes a grave threat to international peace and security; undermines ongoing efforts to foster stability, prosperity, and equity in the countries of the region; and violates the democratic values and principles enshrined in the OAS Charter, the Inter-American Democratic Charter, and other regional and international instruments;

REAFFIRMING the principal purpose of CICTE, which is to promote and develop cooperation among member states in order to prevent, combat, and eliminate terrorism, and the civilian nature of its functions;

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, since then, Chile, Dominica, Honduras, Panama, Paraguay, and Venezuela have also become states parties to the Convention; and

That other countries that are not yet states parties to the Convention have made significant progress toward its ratification;

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;

RECALLING ALSO that at the Sixth Conference of Ministers of Defense of the Americas, held in Quito, Ecuador, from November 16 to 21, 2004, the ministers reiterated, in the Declaration of Quito, their most forceful rejection of all forms of terrorism and their support for the work of CICTE;

BEARING IN MIND United Nations Security Council resolutions 1373 (2001) and 1566 (2004), in which the Member States undertook to adopt specific measures to combat international terrorism and to cooperate with states that are victims of terrorist acts;

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 international refugee law, in all actions undertaken by member states to prevent, combat, and eliminate terrorism; and

NOTING WITH SATISFACTION:

The increasing collaboration between the CICTE Secretariat, CICAD, 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 (CFTAF), 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 third meeting of National Points of Contact on February 16 in Port-of-Spain, Trinidad and Tobago, and the strengthening of the 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

The commitment expressed by member states in the Declaration of Port-of-Spain to intensify efforts to disrupt the capacity of terrorist networks to threaten the ability of individuals to travel and move safely between and recreate in member states, by strengthening the coordination and provision of technical assistance, when requested, in the establishment and implementation of and compliance with security standards and practices, including those related to tourist and recreational facilities,

RESOLVES:

1. To express its utmost condemnation of terrorism in all its forms and manifestations as criminal and unjustifiable under any circumstances, in any place, and regardless of who perpetrates it.
2. To reaffirm its commitment to continue strengthening hemispheric cooperation and implementing specific measures to prevent, combat, and eliminate terrorism.
3. 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).
4. 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.
5. To call upon those member states that have not yet done so to ratify the Inter-American Convention against Terrorism and to implement it effectively.
6. To urge all member states, in the framework of the fight against terrorist financing, to adopt stronger measures against money laundering, illicit drug trafficking, illicit trafficking in arms, kidnapping, and other manifestations of transnational organized crime and, in keeping with their domestic laws and applicable treaties, to facilitate international cooperation and legal assistance in order to detect, freeze, and confiscate the funds that finance terrorism.
7. To endorse the Declaration of Port-of-Spain on Strengthening Cooperation on Strategies to Sustain and Advance the Hemispheric Fight against Terrorism; and to encourage member states to implement the commitments contained therein.
8. 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; cybersecurity; and document security, pursuant to the new CICTE Work Plan.

9. 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 cybercrime, bioterrorism, threats to tourism security and to critical infrastructure, and the possibility of access to and possession, transport, and use of weapons of mass destruction and related materials and their means of delivery, by terrorists.

10. To express its renewed 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 to support the implementation of the CICTE Work Plan.

11. 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 recognize the need to strengthen the CICTE Secretariat with regular staff in order to guarantee continuity in the fulfillment of its important mission and to facilitate the expansion of the major programs it has been carrying out in accordance with its Work Plan for 2005-2006.

12. To reiterate its appeal to the member states to:

- a. Intensify their actions to comply strictly with the provisions of United Nations Security Council resolution 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. Intensify their efforts to disrupt the capacity of terrorist networks to threaten the ability of individuals to travel and move safely between and recreate in member states by initiating actions to establish, implement, and comply with security standards and practices, including those related to tourist and recreational facilities.
- c. Recognize the need for member states to prohibit their nationals or any person or entity within their territories from willfully providing, collecting, or making available funds, financial resources, or any other economic resources for the benefit of persons or groups that commit or attempt to commit, facilitate, or participate in the commission of terrorist acts, and to punish them for doing so.
- d. Continue their efforts to implement the recommendations on financial and border controls, transportation security, cybersecurity, and document security, adopted by CICTE at its fifth 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;

- e. 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;
- f. Lend the broadest and most expeditious mutual legal assistance, including in extradition matters, in accordance with multilateral and bilateral treaties and, to that end, participate in the mutual legal assistance network of the OAS;
- g. 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; and
- h. Continue efforts to ensure that weapons acquired and maintained for lawful purposes by member states are safeguarded and not vulnerable to theft by, or diversion to, terrorists.

13. To instruct the CICTE Secretariat to implement the programs and projects listed in the CICTE Work Plan for 2005, and to assist the member states, when they so request, in implementing the recommendations on border and financial controls; transportation security, in particular, maritime, port, and aviation security; and cybersecurity.

14. 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.

15. 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 Sixth Regular Session of CICTE, scheduled to be held in Colombia in the first quarter of 2006, 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.

16. To request the Chair of CICTE to report to the General Assembly at its thirty-sixth regular session on the implementation of this resolution.

AG/RES. 2138 (XXXV-O/05)

FOURTH BIENNIAL REPORT ON FULFILLMENT OF 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'"

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT:

That the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará," adopted in 1994, identified violence against women as a violation of their human rights and its elimination as essential for their individual and social development and their full and equal participation in all walks of life;

That, to date, 31 member states have ratified the Convention of Belém do Pará, thereby expressing their absolute rejection of and concern over any act of violence against women and demonstrating their commitment to the fulfillment of the Convention's objectives and of the obligations they have assumed;

That, pursuant to resolution AG/RES. 1456 (XXVII-O/97), the Inter-American Commission of Women (CIM) has submitted to the General Assembly four biennial reports on progress made in the implementation of the Convention as well as on experiences and results achieved through the initiatives and programs pursued in the member states to combat violence against women;

That these reports indicate that, despite efforts to implement the objectives of the Convention of Belém do Pará, violence persists and is of such magnitude that it is imperative to continue to implement, on an ongoing basis, strategies allowing women to live free from violence;

That the Plans of Action of the Summits of the Americas, the Strategic Plan of Action of the CIM, and the Inter-American Program for the Promotion of Women's Human Rights and Gender Equity and Equality have considered violence against women as an area for priority attention;

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 resolution AG/RES. 2012 (XXXIV-O/04) on violence against women states that a mechanism that allows for monitoring and analyzing the manner in which progress is being made, and for facilitating cooperation among the states parties and with the member states, will contribute to the achievement of the Convention's objectives;

That the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States, held in April 2004, adopted resolution CIM/REMIM-II/RES. 6/04, whereby it urged 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; and

UNDERSCORING:

That, pursuant to the mandates set forth in resolution CIM/RES. 224 (XXI-O/02) and resolution AG/RES. 2012 (XXXIV-O/04), a meeting of experts of the member states was held at OAS headquarters on July 20 and 21, 2004, which agreed on recommendations on how best to follow up on the Convention of Belém do Pará;

That, on the basis of those recommendations, on October 26, 2004, the First Conference of States Parties to the Convention was held, with the participation of the states not party and the collaboration of the Inter-American Commission on Human Rights (IACHR) and the Department of Legal Affairs and Services of the General Secretariat, which adopted the Statute of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” (MESECVI);

That the Thirty-second Assembly of Delegates of the CIM adopted a declaration expressing its commitment to the earliest possible implementation of the Mechanism, to enable the objectives of the Convention of Belém do Pará to be achieved and the women of the region to exercise their right to live free from violence, and encouraging all states parties and states not party to the Convention, permanent observers, international financial institutions, and civil society organizations to contribute to the OAS specific fund established for that purpose; and

That said meeting also adopted resolution CIM/RES. 229 (XXXII-O/04), “Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, ‘Convention of Belém do Pará,’” in which it expressed its satisfaction at the approval of the Statute of the MESECVI and decided to present it to the General Assembly at this session,

RESOLVES:

1. To take note of the Fourth Biennial Report of the Inter-American Commission of Women (CIM) on fulfillment of resolution AG/RES. 1456 (XXVII-O/97); and to request the Commission to continue presenting these reports.

2. To welcome the adoption of the Statute of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” (MESECVI); and to invite all states parties and states not party to the Convention, permanent observers, international financial institutions, and civil society organizations to contribute to the OAS specific fund established for that purpose.

3. To express appreciation to the Permanent Secretariat of the CIM for the work done during the process of adoption of the Statute of the MESECVI; and to urge the Permanent Secretariat to continue to fulfill the important role of secretariat to the mechanism with a view to its effective implementation.

4. To congratulate the member states for their efforts to effectively meet the objectives of the Convention, including the adoption the Statute of the MESECVI, in keeping with the priorities set in the Plans of Action of the Summits of the Americas, the Strategic Plan of Action of the CIM, and the Inter-American Program for the Promotion of Women's Human Rights and Gender Equity and Equality.

5. To urge member states to continue to move forward, with support from the CIM, the Inter-American Commission on Human Rights (IACHR), and other areas of the General Secretariat, with the implementation of the MESECVI, and to take concrete steps to ensure the effective enforcement of national legislation, in conformity with ratified regional and international conventions on the elimination of discrimination and violence against women, in particular the Convention of Belém do Pará, as well as coordinated action to ensure a culture of respect for human rights.

6. To encourage those member states that have not yet done so to ratify regional human rights instruments, in particular the Convention of Belém do Pará, as a further sign of their commitment to, respect for, and promotion, advancement, and protection of women's human rights.

7. To urge member states to allocate more human and financial resources in their national and regional budgets to help 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 supporting the efforts of the member states regarding the full implementation of the Convention of Belém do Pará, as well as other initiatives geared toward the elimination of violence against women.

9. To request the Permanent Council to report to the General Assembly at its thirty-sixth regular session on the implementation of the MESECVI.

AG/RES. 2139 (XXXV-O/05)

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 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN:

Resolution AG/RES. 2056 (XXXIV-O/04) “Draft Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region”; and

The report on the implementation of the aforementioned resolution, contained in document (AG/doc.4459/05); and

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; the Declaration of Margarita on poverty, equity, and social inclusion; and the Monterrey Consensus;

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 states of the Americas; and

CONSIDERING:

That the General Assembly, in resolution AG/RES. 2056 (XXXIV-O/04), instructed 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 Plan of Action, 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-sixth regular session for consideration; and

That the Permanent Council and CEPCIDI established a joint working group to carry out the mandate contained in the above-mentioned resolution,

RESOLVES:

1. To take note of the report on the implementation of resolution AG/RES. 2056 (XXXIV-O/04), "Draft Social Charter of the Americas: Renewal of the Hemispheric Commitment to Fight Extreme Poverty in the Region," and of the establishment of the Joint Working Group of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) to carry out the mandate contained in that resolution.

2. To renew the mandate given to the Permanent Council and CEPCIDI to jointly prepare a draft Social Charter of the Americas and a Plan of Action, 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.

3. To request the Permanent Council and CEPCIDI to present the results of their work to the General Assembly for consideration and adoption.

AG/RES. 2140 (XXXV-O/05)

INTERNALLY DISPLACED PERSONS

(Adopted at the fourth plenary session, held on June 7, 2005)

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”; 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. 1892 (XXXII-O/02); and in particular AG/RES. 2055 (XXXIV-O/04), “Internally Displaced Persons”;

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 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 causes of the internal displacement problem and to do so, when so required, in cooperation with the international community;

NOTING that several countries in the Hemisphere are using the Guiding Principles on Internal Displacement and including them in 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;

EMPHASIZING the importance of implementing effective policies for preventing and averting forced internal displacement and for protecting and assisting displaced persons during displacement and during return or resettlement, and reintegration;

UNDERSCORING 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 encourage member states to address the diverse causes of the internal displacement of persons in order to prevent it from occurring and to bear in mind that dialogue is essential to the achievement of lasting solutions.

4. To urge member states, in keeping with their responsibility to displaced persons, to lend them assistance and protection, based on comprehensive strategies, through competent national institutions during displacement, return or resettlement, and reintegration.

5. To appeal to appropriate United Nations agencies, other humanitarian organizations, and the international community to provide the support or assistance requested by states, in order to address the various causes that give rise to internal displacement and the persons affected by it, at every stage.

6. To instruct the Permanent Council to follow up on this resolution as it deems appropriate.

AG/RES. 2141 (XXXV-O/05)

INTER-AMERICAN PROGRAM FOR THE PROMOTION AND PROTECTION
OF THE HUMAN RIGHTS OF MIGRANTS, INCLUDING
MIGRANT WORKERS AND THEIR FAMILIES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Permanent Council to the General Assembly (AG/doc.4376/05);
and

The Annual Report of the Inter-American Commission on Human Rights to the General Assembly, in particular the chapter on the Sixth Progress Report of the Special Rapporteurship on Migrant Workers and Their Families (CP/doc.3984/05);

RECALLING its resolutions AG/RES. 1928 (XXXIII-O/03) and AG/RES. 2027 (XXXIV-O/04); and

TAKING INTO ACCOUNT:

The Plan of Action of the First Summit of the Americas, adopted in December 1994 in Miami, Florida, United States of America; the Declaration of the Second Summit of the Americas, held in Santiago, Chile, in April 1998; and, more particularly, the Plan of Action of the Third Summit of the Americas, adopted in Quebec City, Canada, in April 2001, in which the Heads of State and Government stated that they would “[e]stablish 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 IACHR and supporting the work of the IACHR Special Rapporteur on Migrant Workers and the UN Special Rapporteur on Migration”; and

That in the Declaration of Nuevo León, the Heads of State and Government, gathered in Monterrey, Mexico, in January 2004, for the Special Summit of the Americas, underscored “the importance of cooperation between countries of origin, transit, and destination to ensure the full protection of the human rights of all migrants, including migratory workers and their families”;

EXPRESSING ITS SATISFACTION with the establishment, in January 2004, within the Committee on Juridical and Political Affairs of the Permanent Council, of the Working Group to Prepare an Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, starting from the draft presented by the Inter-American Commission on Human Rights (IACHR) and the proposals of member states, specialized organizations, and other bodies;

BEARING IN MIND the holding, in September 2004, of the Special Meeting of the Working Group to Prepare an Inter-American Program, with the broad participation of government experts and

representatives of the Organization's organs, agencies, and entities; multilateral and intergovernmental organizations; and civil society organizations; and

CONSIDERING the Draft Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families (CAJP/GT/TM-24/05 rev. 7), prepared by the Working Group of the Committee on Juridical and Political Affairs,

RESOLVES:

1. To adopt the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families, which is appended to this resolution.

2. To convene, as established in the Inter-American Program, a meeting of the Committee on Juridical and Political Affairs in the first half of 2006, with the participation of government experts and representatives of the organs, agencies, and entities of the inter-American system, other international organizations, and civil society, for the purpose of sharing best practices and activities carried out last year in support of the Program, as well as new proposals that might be incorporated into it.

3. To instruct the Inter-American Commission on Human Rights (IACHR) to continue to provide its support, through the Special Rapporteurship on Migrant Workers and Their Families, to the Inter-American Program adopted herein.

4. To request the relevant organs, agencies, and entities of the Organization to include, in their annual reports to the General Assembly, their actions aimed at implementing the activities set out in the Program.

5. To instruct the Permanent Council to constitute a specific fund composed of voluntary contributions, called the "Fund for the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, including Migrant Workers and Their Families," to contribute to funding of the activities assigned to the organs, agencies and entities of the OAS in support of this Program; and to urge member states, permanent observers, regional organizations, international organizations, and civil society organizations to contribute to the Fund.

6. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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.

INTER-AMERICAN PROGRAM FOR THE PROMOTION AND PROTECTION
OF THE HUMAN RIGHTS OF MIGRANTS, INCLUDING
MIGRANT WORKERS AND THEIR FAMILIES

I. INTRODUCTION

A. Program Background

The Working Group to Prepare an Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and Their Families was established by the Committee on Juridical and Political Affairs of the Permanent Council on January 15, 2004, to prepare a draft Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and their Families.

1. Summits of the Americas

The topic “Promotion and Protection of the Human Rights of Migrants, Including Migrant Workers and their Families” has been present throughout the Summits of the Americas process. In the Plan of Action of the First Summit of the Americas, held in Miami, Florida, in December 1994, the Heads of State and Government, in reaffirming their commitment to the promotion and protection of human rights pledged, *inter alia*, to “[g]uarantee the protection of the human rights of all migrant workers and their families.”

Then, in the Plan of Action of the Second Summit of the Americas, held in Santiago, Chile, in April 1998, the Heads of State and Government expressed their resolve to “protect the rights of migrant workers and their families” and, in that regard, they established that governments would:

Comply with the applicable international human rights instruments and, consistent with the legal framework of each country, guarantee the human rights of all migrants, including migrant workers and their families.

Seek full compliance with, and protection of, the human rights of all migrants, including migrant workers, and their families, and adopt effective measures, including the strengthening of public awareness, to prevent and eradicate violations of human rights and eliminate all forms of discrimination against them, particularly racial discrimination, xenophobia, and related intolerance.

Reaffirm the sovereign right of each State to formulate and apply its own legal framework and policies for migration, including the granting of permission to migrants to enter, stay, or exercise economic activity, in full conformity with applicable international instruments relating to human rights and in a spirit of cooperation.

Seek full respect for, and compliance with, the 1963 Vienna Convention on Consular Relations, especially as it relates to the right of nationals, regardless of their immigration status, to communicate with a consular officer of their own State in case of detention.

Protect the rights of all migrant workers and their families, consistent with each country's internal legal framework, by taking steps, in case they do not exist, to:

- provide, with respect to working conditions, the same legal protection as for national workers;
- facilitate, as appropriate, the payment of full wages owed when the worker has returned to his/her country, and allow them to arrange the transfer of their personal effects;
- recognize the rights of citizenship and nationality of the children of all migrant workers who may be entitled to such rights, and any other rights they may have in each country;
- encourage the negotiation of bilateral or multilateral agreements, regarding the remission of social security benefits accrued by migrant workers;
- protect all migrant workers and their families, through law enforcement and information campaigns, from becoming victims of exploitation and abuse from alien smuggling;
- prevent abuse and mistreatment of all migrant workers by employers or any authorities entrusted with the enforcement of migration policies and border control; and
- encourage and promote respect for the cultural identity of all migrants.

Support the activities of the Inter-American Commission on Human Rights with regard to the protection of the rights of migrant workers and their families, particularly through the Special Rapporteur for Migrant Workers.

It should be pointed out that the Heads of State and Government also referred to the topic in the Declaration of the Second Summit of the Americas, held in Santiago, Chile, in the following terms: "We will make a special effort to guarantee the human rights of all migrants, including migrant workers and their families."

Likewise, in the Declaration of the Third Summit of the Americas, held in Quebec City, Canada, they said: "We recognize the cultural and economic contributions made by migrants to receiving societies as well as to their communities of origin. We are committed to ensuring dignified, humane treatment with appropriate legal protections, defense of human rights, and safe and healthy labor conditions for migrants. We will strengthen mechanisms for hemispheric cooperation to address the legitimate needs of migrants and take effective measures against trafficking in human beings."

In the Plan of Action of the Third Summit of the Americas adopted in Quebec City, Canada, the Heads of State and Government of the Americas, reaffirming the commitments made in 1998 at the Santiago Summit concerning the protection of the human rights of migrants, including migrant workers and their families, established that their governments would:

Strengthen cooperation among states to address, with a comprehensive, objective and long-term focus, the manifestations, origins and effects of migration in the region;

Promote recognition of the value of close cooperation among countries of origin, transit and destination in order to ensure protection of the human rights of migrants;

Establish 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 IACHR and supporting the work of the IACHR Special Rapporteur on Migrant Workers and the UN Special Rapporteur on Migration;

Commit to undertake the widest possible cooperation and exchange of information among states concerning illegal trafficking networks, including developing preventative campaigns on the dangers and risks faced by migrants, particularly women and children who often can be victims of such trafficking, with a view to eradicating this crime;

Establish linkages with subregional processes, such as the Regional Conference on Migration and the South American Conference on Migration, which are dialogue fora, in order to exchange information on the migration phenomenon, as well as promote cooperation with specialized international organizations, such as the International Organization of Migration (IOM), in order to advance and coordinate implementation efforts of Summit mandates.

Lastly, in the Declaration of Nuevo León, the Heads of State and Government, assembled at the Special Summit of the Americas, in Monterrey, Mexico, in January 2004, said the following:

We underscore the importance of cooperation between countries of origin, transit, and destination, to ensure the full protection of human rights of all migrants, including migratory workers and their families, and the observance of labor laws applicable to them, in accordance with the commitments agreed to in the Santiago and Quebec City Summits. We support the adoption of programs for orderly migration as a factor of economic and social development; and we will cooperate in the fight against trafficking in persons, which especially affects women and children.

We recognize that remittances are an important source of capital in many countries of the Hemisphere. We commit to take concrete actions to promote the establishment, as soon as possible, of necessary conditions, in order to achieve the goal of reducing by at least half the regional average cost of these transfers no later than 2008 and report on progress achieved at the next Summit of the Americas in Argentina in 2005. We will adopt, as needed or appropriate, measures such as: the promotion of competition between the providers of these services, the elimination of regulatory obstacles and other restrictive measures that affect the cost of these transfers, as well as the use of new technologies, while maintaining effective financial oversight.

2. General Assembly of the Organization of American States (OAS)

For its part, the General Assembly adopted resolutions AG/RES. 1928 (XXXIII-O/03), “The Human Rights of All Migrant Workers and Their Families”; and AG/RES. 2027 (XXXIV-O/04), also entitled “The Human Rights of All Migrant Workers and Their Families.” The latter resolution instructed the Permanent Council to renew the mandate of the Working Group of the Committee on Juridical and Political Affairs (CAJP) to prepare an inter-American program so that, as soon as possible, it might draft the proposed Inter-American Program, starting from the draft presented by the IACHR and the proposals of member states, specialized organizations, and other bodies, in accordance with the mandate of the Third Summit of the Americas.

II. CONCEPTUAL FRAMEWORK

Due to the increased scope and significance of migration in the last decade, virtually every state has become a sending, receiving, and transit country of migrants. As a result, migration has become a priority on the political and diplomatic agenda of many countries and of the Heads of State and Government at the Summits of the Americas. Violence and the growing disparity in standards of living and social and labor benefits among countries in the region, to cite but two factors, have spurred a sharp upturn in the number of people migrating. Studies have shown that in the last four decades the annual migration rate has easily surpassed the population growth rate in the Americas.^{1/} As would be expected, the increase in migratory flows has had social, political, and economic consequences for countries of origin, destination, and, to a lesser degree, transit. The countries of our region have become more and more interested in tackling the matter as related phenomena have made themselves felt. These include the influence of migrant workers on local labor markets; the demands associated with absorbing migrant populations; smuggling of migrants and trafficking in persons; the repercussions of migration on the communities of origin, transit, and destination; violations of human rights; the impact of remittances; crime rates in border areas; and abuse of migrants. Countries of the region are also interested in greater cooperation in order to maximize the benefits of migration. The Program recognizes that orderly migration contributes to economic and social development. In this regard, the Program promotes an environment of respect for the human rights of migrants and their families.

1. *IMILA*. International Migration in Latin America. Bulletin No. 65. January 2000. ECLAC/CELADE website: www.wclac.cl/celade.

The goals of promoting and protecting the human rights of migrants are compatible with each OAS member state's sovereign rights to control its borders and enforce its laws. The Program therefore acknowledges the right of member states to regulate the entry and stay of foreigners in their territories and to determine the status of migrants and the effect of that status within the domestic political, legal, economic, and educational systems of receiving countries, as well as access to government services and benefits, in accordance with the legal framework of each country.

The states' authority to regulate the entry and stay of foreigners in their territories and to determine the status of migrants must be executed and be consistent with applicable international human rights and refugee law. At the same time, the rights of each person are limited by the rights of others, by the security of all, and by the just demands of the general welfare of a democratic society.

This Program seeks to integrate the human rights considerations of migrants and their families into the work of the organs, agencies, and entities of the OAS. The Program links the work of these organs, agencies, and entities and that of member states, multilateral organizations, and civil society. It also comprises a two-pronged approach: (a) activities to be carried out by the organs, agencies, and entities of the OAS; and (b) proposed optional activities to be carried out by member states, multilateral organizations, and/or civil society organizations.

This Program is structured on the basis of general and specific objectives. Also identified are activities for fulfilling those objectives. The Program's main implementers are the organs, agencies, and entities of the OAS. Other potential Program implementers include member states, multilateral organizations, and civil society, including migrants themselves and migrant workers and their families. The beneficiaries of the Program are migrants, including migrant workers and their families, temporary residents,^{2/} and the states.

The activities assigned to the organs, agencies, and entities of the OAS stem from existing programs and activities. Subsequently, others will be added when those bodies identify them. The activities to be recommended to multilateral organizations and civil society organizations derive from their usual fields of work. Finally, the specific optional activities that are suggested to states emerge from their proposals.

In the case of the OAS, activities are assigned in keeping with the primary responsibility of the system's different organs, agencies, and entities. In the case of the states, the Program suggests specific optional activities for their consideration, and in the case of multilateral organizations and civil society organizations, the Program takes into account the activities developed by such organizations in accordance with their mandates.

The activities of this Program may be developed over the long term, gradually and flexibly, in such a manner that they may be reviewed periodically.

The Program envisages a series of measures to facilitate its follow-up, in order to measure progress, facilitate the exchange of best practices, and take advantage of updates and new developments that may occur at the regional and international levels, according to the section "Program Follow-Up Activities."

2. Temporary residents include, among others, students and retirees.

The Program will incorporate a gender perspective as a crosscutting theme.

A specific voluntary fund will be established to contribute to funding of the activities assigned to the organs, agencies, and entities of the OAS, in support of this Program, in addition to the existing resources in the Regular Fund of the program-budget of the Organization, which will be administered by the Summits of the Americas Secretariat. The CAJP will determine the use of such funds. This notwithstanding, the Program implementers may allocate and obtain funds to carry out the specific optional activities.

Lastly, for greater ease in understanding the Program, a document cross-referencing its objectives and activities has been included as Appendix I, while a general description of existing international instruments and other reference documents has been included as Appendix II.

III. DESCRIPTION OF THE PROGRAM IMPLEMENTERS

Program implementers are listed, without prejudice to the ability to include others, as relevant, in future revisions.

A. Organs, agencies, and entities of the OAS

- Inter-American Commission on Human Rights (IACHR) and the Special Rapporteurship on Migrant Workers and Their Families
- Inter-American Commission of Women (CIM)
- Inter-American Children's Institute (IIN)
- Inter-American Agency for Cooperation and Development (IACD)
- Office of Education, Science, and Technology
- Summits of the Americas Secretariat
- Office for the Promotion of Democracy (OPD)
- Department of Legal Affairs and Services
- Pan American Health Organization (PAHO)

B. Implementers other than organs, agencies, and entities of the OAS

1. OAS member states

Specific optional activities that may be undertaken by states are listed below under subheading V.B.1. These may be unilateral, or bilateral or multilateral, and may even use intergovernmental forums on migration, such as:

- Regional Conference on Migration (RCM)
- South American Conference on Migration
- Central-American Commission of Directors of Migration (OCAM)
- Southern Common Market (MERCOSUR), in particular, its Political Consultation and Coordination Forum
- Andean Community
- Caribbean Community (CARICOM)
- Ibero-American Federation of Ombudsmen

2. Multilateral organizations

- International Organization for Migration (IOM)
- Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Special Rapporteur on the Human Rights of Migrants
- Office of the United Nations High Commissioner for Refugees (UNHCR)
- International Labour Organization (ILO)

3. Other implementers

- Migrants
- Civil society organizations
- Inter-American Institute of Human Rights (IIHR)

This Program recommends activities that may be undertaken by civil society organizations involved in the field of human rights, migration, and development, as well as by migrant organizations. It also includes the activities being carried out by the IIHR in accordance with its mandate.

IV. PROGRAM OBJECTIVES

A. General Objectives

- Promotion and protection of the human rights of migrants, including migrant workers and their families, through, *inter alia*, the identification and implementation of cooperative actions and the exchange of best practices.
- Integration of considerations relating to the human rights of migrants and their families into the work of the organs, agencies, and entities of the OAS, taking into consideration a gender perspective.
- Linkage of the work of the organs, agencies, and entities of the OAS with the activities of states, multilateral organizations, and civil society, including the migrants themselves and their families.

B. Specific Objectives

1. Promotion of the exchange of best practices and cooperation among sending, transit, and receiving countries in order to fully respect and protect the human rights of all migrants, including migrant workers and their families.
2. Effective and efficient migration management, through the exchange of best practices with a view to achieving organized, fair, and controlled migration processes, which may constitute a factor in economic and social development and take family interests into account, including family reunification.

3. Promotion of international cooperation to deal with the diverse causes of migration, as well as its effects and impact on the sending, transit, and receiving societies.
4. Attention to the special needs of vulnerable groups of migrants, including children, women, indigenous persons, persons of African descent, and persons with disabilities, among others.
5. Attention to the needs of persons in transit and receiving countries who may be vulnerable, such as low-income families and individuals, and persons living in regions, or working in economic sectors, with high proportions of migrants.
6. Prevention and technical cooperation in the fight against trafficking in persons, investigation and criminal prosecution of the persons responsible for this crime, and protection and assistance to victims of trafficking.
7. Prevention and technical cooperation in the fight against the smuggling of migrants, and investigation and criminal prosecution of migrant smugglers.
8. Promotion of orderly migration and support for migrant programs that permit social inclusion in the receiving countries, consistent with each state's domestic legal framework and applicable international human rights law.
9. Promotion of a more effective exchange of information on legislation and migration policies.
10. Education and dissemination of information on human rights, migrants' rights and responsibilities, and legal channels for migration and access to social services.
11. Promotion of activities against manifestations or acts of racism, racial discrimination, xenophobia, and related forms of intolerance against migrants, and recognition of the cultural and economic contributions made by migrants to receiving societies as well as to their communities of origin.
12. Strengthening of or participation in, as applicable, transnational networks and forums for dialogue among migrant organizations, and support for the work of multilateral entities and civil society organizations.
13. Inclusion of the human rights of migrants as a crosscutting issue in all the relevant activities undertaken by the OAS.
14. Promotion of public policies, facilitation of practices, and, when requested, advice on legislative issues aimed at the inclusion of migrants in the transit and receiving societies, consistent with each state's domestic legal framework and with applicable international human rights law, with special emphasis on the rights related to health, education, labor, culture, nondiscrimination, and against violence, intolerance, racism, and xenophobia.
15. Development and support of programs for the reintegration of migrants and their families into the countries of origin.
16. Protection of the rights of migrants and their families under immigration proceedings, consistent with each state's domestic legal framework and applicable international human rights law, including the rights to a fair trial, protection from arbitrary arrest, due process of law, and equality before the law.

17. Information, notification, communication, and consular assistance, in accordance with the obligations of the states parties to the Vienna Convention on Consular Relations of 1963.
18. Facilitation of political participation by migrants and their families in their countries of origin.
19. Promotion of measures aimed at fulfilling the objectives of reducing the transfer costs of remittances.
20. Promotion and protection by states of origin of the human rights of the families of migrant workers who stay in their countries of origin, paying special attention to children whose parents have emigrated.

V. SPECIFIC ACTIVITIES

- A. Instruct the Secretary General to provide a work plan to undertake the specific activities listed in this section, including the specific organs, agencies, and entities of the OAS that will carry them out, pursuant to Article 113 of the Charter of the Organization of American States, and instruct the organs, agencies, and entities of the OAS to undertake the following actions:

Inter-American Commission on Human Rights (IACHR):

1. Carry out activities to promote the inter-American human rights system, with emphasis on the human rights of migrants and their families, including the use of the Commission's website for that purpose.
2. Facilitate the exchange of information and technical assistance on human rights and migration legislation with state agencies; government officials; organs, agencies, and entities of the OAS; multilateral organizations; and civil society organizations.
3. Offer training on guarantees of due process in migration proceedings and on the use of the inter-American human rights system, to organizations that make free legal aid programs available to migrants and their families.
4. Offer training to government officials from sending, transit, and receiving countries on consular protection to migrants in accordance with the Vienna Convention on Consular Relations, taking into account information, notification, communication, and consular assistance for migrants.

Inter-American Commission of Women (CIM):

5. Conduct research on female migration and its impact on family structure, the labor market, and migration control, *inter alia*.
6. Develop policies and programs designed to protect migrant women and their families, in particular women heads of household, and to combat violence against women.
7. Promote the implementation of resolutions of the CIM and of the OAS General Assembly on trafficking in persons.
8. Recommend ratification by the states of the United Nations Convention against Transnational Organized Crime and its optional Protocols, and of the Optional

Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

9. Promote mechanisms for the safe return and reintegration of trafficking victims and special procedures to protect juvenile victims of trafficking.

Inter-American Children's Institute (IIN):

10. Include in its activities the special situation of unaccompanied migrant children.
11. Include in its activities the protection of juvenile victims of trafficking in persons.

Inter-American Agency for Cooperation and Development (IACD), when requested by member states:

12. Promote the formulation and funding, within existing resources, of projects aimed at: (a) facilitating appropriate^{3/} access to the job market and improving the working conditions of migrant workers, with emphasis on aspects of safety and health; (b) strengthening democratic institutions; (c) providing education for democracy and human rights, for government officials and the private sector.
13. Promote and support the management of bilateral agreements on seasonal or temporary migrant workers.
14. Develop joint initiatives with the private sector to foster economic development and protect the labor rights of migrants and their families, consistent with each state's domestic legal framework and applicable international human rights law.
15. Promote, through specialized regional forums, discussions on the promotion and protection of the human rights of migrants and their families, with the participation of governments, international organizations, private sector representatives, and community leaders.

Office of Education, Science, and Technology:

16. Promote cooperation among educational institutions in different states to facilitate the incorporation of migrant children into schools and promote the exchange and training of teachers working in the field of bilingual and intercultural education.
17. Foster the modernization of curricular standards to introduce standards on job-related skills.
18. Include human rights education for migrants and their families within the activities of the Inter-American Program on Education for Democratic Values and Practices. In particular, consider including education for migrants and their families in the activities of the electronic observatory, organizing discussion forums on the topic, and gathering information on public education programs for migrants in sending, transit, and receiving countries.
19. Consider the possibility of periodically organizing a hemispheric seminar for training public officials in immigration policies and human rights, as well as in the detection of forged documents, with the support and participation of specialists, international organizations, and civil society.

3. In accordance with national regulations.

Summits of the Americas Secretariat:

20. Assist the CAJP and participate in the follow-up and coordination process of this Program, and submit the results obtained to the Summits process.
21. Administer, under the supervision of the CAJP, the specific voluntary fund to be established for the execution of the Program activities assigned to the organs, agencies, and entities of the OAS.

Office for the Promotion of Democracy (OPD), when requested by member states:

22. Further studies on comparative legislation related to the political participation of migrants in the democratic systems of their countries of origin and host countries.
23. Generate, promote, and disseminate information regarding the legal, political, and practical implications of the political participation of migrants in their countries of origin for governments, migrant organizations, and electoral administrations, among others.
24. Offer technical assistance in institution-building to election authorities and civil electoral registries, on institutional modernization, updating of their countries' electoral rolls, and the issuance of documents necessary for migrants to participate in the electoral processes of their countries of origin.
25. Offer technical assistance to legislatures that so request along with advice to parliamentary commissions on migration matters, including advice to states interested in the harmonization of migration legislation.
26. Provide training to migrants in order to promote their participation in democratic processes.
27. Promote democratic culture through formal and nonformal education, stressing the need for tolerance and solidarity, in accordance with the characteristics of each country.
28. Facilitate multiparty and multisectoral discussions within political parties on the human rights of migrants and their families.

Department of Legal Affairs and Services:

29. Compile and disseminate on its website current national migration legislation, policies, and requirements.

All the organs, agencies, and entities of the OAS mentioned in this Program:

30. Exchange best practices among the different implementers of this Program.
31. Enter into cooperation agreements in order to contribute to the implementation of this Program's objectives and specific optional activities.
32. Incorporate into assistance and technical cooperation activities the condition of migrant and migrant family vulnerability and the elimination of discrimination without distinction as to race, sex, language, creed, or any other factor, consistent with each state's domestic legal framework and applicable international human rights law.

B. Implementers other than OAS organs, entities, and agencies

1. OAS MEMBER STATES

Suggest to OAS member states for possible implementation the following specific optional activities, among others:

33. Exchange information on the migration phenomenon, its characteristics, dimension, statistics, and implications. Improve statistical information systems and foster the exchange of information and best practices through the use of information and communication technologies.
34. Facilitate access by migrants to public information, in accordance with domestic legislation.
35. Empower migrants to make informed decisions by disseminating information on the legal avenues for migration and on the dangers associated with the smuggling of migrants and trafficking in persons.
36. Develop an institutional capacity to manage and deal with migration by training officials, reviewing legislation, and setting up organized and fair migration management systems.
37. Consider the signing and ratification of, or accession to, all universal and inter-American human rights instruments, and take specific measures at the national level to strengthen respect for the human rights and fundamental freedoms of all persons, including those of women, children, senior citizens, indigenous peoples, migrants, repatriates, and persons with disabilities, and anyone belonging to any other vulnerable group, among others.
38. Consider signing, ratifying, or acceding to the United Nations Convention against Transnational Organized Crime and its optional Protocols.
39. Review their laws to ensure that those laws are consistent with their obligations to respect the human rights of migrants as set forth in international instruments on human rights and migration—including instruments relating to migration for employment and the protection of migrant workers—to which they are party, recognizing the states' sovereign right to regulate the entry and stay of foreign nationals in their respective territories.
40. Review each state's migration practices regarding the entry and stay of foreign nationals to ensure that they are carried out in a manner consistent with applicable international human rights and refugee law.
41. Train government officials working in the migration area in migration legislation, protection of the human rights of migrants and their families, conditions of vulnerability of migrants and their families, identification and protection of refugees and potential asylum seekers, the modus operandi of networks involved in the smuggling of migrants and trafficking in persons, and victim identification and assistance.
42. Make efforts to harmonize migration requirements between interested states of the Americas and within subregional groups.
43. Conduct programs to promote authorized migration and migrant worker agreements.
44. Promote and implement voluntary repatriation programs as an alternative to deportation or expulsion.

45. Conduct information and assistance programs aimed at migrants and their families who return to their countries of origin.
46. Foster policies and actions that ensure the application of standards of due process in migration proceedings.
47. Promote and facilitate public policies, legislation, and practices aimed at protecting the rights of migrants and their families under immigration proceedings, consistent with each state's domestic legal framework and applicable international human rights law, including the rights to a fair trial, protection from arbitrary arrest, due process of law, and equality before the law.
48. Issuance of identity documents to migrants by the states of origin at their consular representations.
49. Promote consular protection in accordance with the obligations of the states parties to the Vienna Convention on Consular Relations, taking into account information, notification, communication, and consular assistance for migrants; and sign and implement cooperation agreements between the states on this matter, for instance networks of liaison officials.
50. Offer broad public information campaigns and basic and secondary education programs on nondiscrimination and on understanding the contribution and worth of migrants and their families to the home and host societies.
51. Cooperate and exchange information among states regarding migrant smuggling networks and develop individual and collective strategies in order to prevent these acts, investigate, prosecute, and punish smugglers, and, when appropriate, protect and assist migrants.
52. Cooperate and exchange information among states regarding networks that traffic in persons and develop individual and collective strategies in order to prevent these acts, investigate, prosecute, and punish traffickers, and protect and assist the victims.
53. Provide suitable mechanisms for reporting and filing complaints made by migrants and civil society organizations regarding violence and alleged violations of human rights, without prejudice to their right to access to applicable protection mechanisms under the inter-American and universal systems.
54. With respect to the sending of remittances, take concrete actions to promote the establishment, as soon as possible, of necessary conditions to achieve the goal of reducing by at least half the regional average cost of these transfers, if possible, no later than 2008. Also, adopt as needed or appropriate, measures such as the promotion of competition between the providers of these services and the elimination of regulatory obstacles and other restrictive measures that affect the cost of these transfers, as well as the use of new technologies, while maintaining effective financial oversight.
55. Support voluntary community or individual initiatives on the use of investment funds and productive projects to promote the general welfare and development of the communities of origin.
56. Promote bilateral agreements on the social security benefits of migrants and their families, so that any social security contributions made by the state may be claimed in or transferred to the state in which the migrant worker lives.
57. Promote the exchange of information and best practices among the different implementers of this Program.

58. Protect the physical safety of migrants and take appropriate measures to prevent, combat, and eradicate violence and other forms of crime against migrants, such as fraud, extortion, and corruption.
59. Provide appropriate and effective access by all migrants and their families to the judicial system so that they may exercise their rights.
60. Provide the means to preserve the health of every person through sanitary measures relative to medical care to the extent permitted by public and community resources, consistent with each state's constitutional and domestic legal framework and applicable international human rights law.
61. Implement the actions and programs needed to improve effective access by all migrant children, wherever they may be, to educational systems, consistent with each state's constitutional and domestic legal framework and applicable international human rights law.
62. Implement the actions and programs needed to improve effective access by all migrants and their families to education, consistent with each state's constitutional and domestic legal framework and applicable international human rights law.
63. Facilitate the participation of migrants in the cultural life of the community.
64. Make the best efforts to secure compliance with labor laws, with a particular focus on the situation and working conditions of migrant workers, by building transparency, knowledge, and professionalism, and by sharing best practices.
65. Protect the lawful property of all migrants, including cash, real and intellectual property, bank accounts, and other financial instruments and property, and combat illicit acts against them.

2. MULTILATERAL ORGANIZATIONS

Take into account the following activities carried out by multilateral organizations, in accordance with their mandates and, as funding permits, with a view to possible cooperation between them and the OAS member states and/or OAS organs, agencies, and entities:

International Organization for Migration (IOM):

66. Set up information, resource, and comprehensive service centers for migrants to ensure that they receive advice and information on their rights as well as legal aid, medical care, and assistance in returning to their countries of origin.
67. Train and support the work of local nongovernmental organizations so that they may offer advice and protection to migrants and their families.
68. Conduct information campaigns for migrants and their families so they may be aware of their rights and defend them.
69. Conduct information campaigns designed to empower migrants and their families so that they may be aware of the obligations deriving from their presence in transit and destination countries.
70. Promote and offer public information campaigns for potential migrants on how networks that traffic in persons operate and the dangers involved in resorting to them; and offer protection and assistance to the victims, in conjunction with nongovernmental organizations, multilateral organizations, and public institutions.

71. Promote and offer public information campaigns for potential migrants on how migrant smuggling networks operate and the dangers involved in resorting to them; and, when a state so requests, offer protection and assistance to migrants, in conjunction with nongovernmental organizations, multilateral organizations, and public institutions.
72. Conduct studies on migration and trafficking in persons that may serve as working tools for developing policies and raising awareness, with special emphasis on gender analysis.
73. Establish centers to provide protection and assistance to victims of trafficking in persons in transit and receiving countries, so that they may receive legal advice and medical and psychological care.
74. Support states in the voluntary return and the reintegration of victims of trafficking in persons.
75. Offer training on trafficking in persons to government officials and civil society organizations.
76. Consider the possibility of lending support to states in meeting their obligation to promote the human rights of the families of migrant workers who remain in the country of origin, paying special attention to the children whose parents have migrated.

Office of the United Nations High Commissioner for Human Rights (OHCHR) and Special Rapporteur on the Human Rights of Migrants:

77. Offer broad public information campaigns and basic and secondary education programs on nondiscrimination and on understanding the contribution and worth of migrants and their families to the home and host societies.
78. Take part in specialized workshops, seminars, and conferences to discuss the relationship between migration and human rights and to protect and guarantee the human rights of migrants and their families.

United Nations High Commissioner for Refugees (UNHCR):

79. Promote and offer technical assistance to states so that they may incorporate fair and efficient asylum processes into legislation on the matter and implement them in practice, based on international human rights standards and refugee law, introducing safeguards for the victims of persecution.
80. Train government officials working in the field of migration on the identification and protection of refugees and potential asylum seekers.

International Labour Organization (ILO):

81. Promote better understanding and awareness of ILO standards relating to migration for employment and the protection of migrant workers and assist interested states in conforming national migrant worker policies and national law and practice to the principles contained in these ILO standards.
82. Strengthen the capacity of authorities, including labor inspection services and labor tribunals, to secure compliance with labor laws, with a particular focus on the

situation and working conditions of migrant workers, by building transparency, knowledge and professionalism, and by sharing best practices.

83. Promote actions designed to improve labor conditions, with emphasis on health and safety conditions at work, in particular in the case of the sectors that employ a high proportion of migrant workers.

All multilateral organizations mentioned in this Program:

84. Exchange best practices among the different implementers of this Program.
85. Enter into cooperation agreements in order to contribute to the development of the objectives and specific optional activities of this Program.

3. OTHER IMPLEMENTERS

Take into account the following activities developed by migrants as well as civil society organizations and the IIHR, in accordance with their mandate, with a view to possible cooperation among them and the OAS member states that request it, and/or OAS organs, agencies, and entities:

Migrants and civil society organizations:

86. Promote and offer public information campaigns addressed to migrants on how migrant smuggling networks operate and the dangers involved in resorting to these networks.
87. Promote and offer public information campaigns addressed to potential victims on how networks that traffic in persons operate and the dangers involved in resorting to these organizations.
88. Promote and develop transnational networks of migrant organizations to facilitate communication and develop activities among migrants and their families in transit and receiving countries and in communities of origin.
89. Promote the review and updating of national legislation on migration and labor rights in accordance with applicable international human rights and migration instruments.
90. Train community leaders in the home and host communities on the human rights of migrants and their families.
91. Offer assistance to migrants deprived of their freedom and monitor their detention conditions.
92. Provide legal aid to migrants and their families subject to migration proceedings, emphasizing respect for the guarantee of due process of law.
93. Exchange best practices among the different implementers of this Program.

Inter-American Institute of Human Rights (IIHR):

94. Conduct joint cooperation programs to strengthen the work of ombudsmen and facilitate the exchange of information on human rights and migration legislation.
95. Offer training to judges, government officials involved in migration proceedings, public defenders, and prosecutors, on international legal instruments and on national

- legislation in force to safeguard the human rights of migrants, in particular insofar as judicial guarantees are concerned.
96. Offer training to government officials responsible for enforcing labor legislation on nondiscrimination against migrant workers, taking a gender approach and safeguarding trade union freedom.
 97. Offer broad public information campaigns and basic and secondary education programs and campaigns on nondiscrimination and on understanding the contribution and worth of migrants to the home and host societies.
 98. Prepare training materials and train civil society organizations on how they can conduct migrant-oriented human rights education campaigns and on the fight against trafficking in persons and the smuggling of migrants and their families and on the possibilities of authorized migration.
 99. Offer training on guarantees of due process in migration proceedings and on the use of the inter-American human rights system for organizations that provide free legal aid to migrants.
 100. Include in training activities components aimed at empowering migrant women and women left behind in the migrant's country of origin.

VI. PROGRAM FOLLOW-UP ACTIVITIES

The organs, agencies, and entities of the OAS will include actions aimed at implementing the activities listed in this Program in their annual reports to the General Assembly of the Organization. Furthermore, member states of the OAS will be invited to report on the specific optional activities suggested in this Program.

The Permanent Council shall consider convening, through the Committee on Juridical and Political Affairs, an annual meeting, to be attended by the Program implementers, in order to exchange best practices, information, and new proposals for inclusion in this initiative. The Program implementers and the states will have the opportunity at this meeting to present the contributions mentioned in the preceding paragraph.

In order to guarantee appropriate Program follow-up, the Permanent Council through the CAJP will convene, starting in 2006 and prior to the Summits of the Americas, a meeting of experts to review the progress of the Program and submit recommendations to the Summits of the Americas. In its work, the meeting of experts shall consider the contributions submitted by the organs, agencies, and entities of the OAS and by the member states, as well as the conclusions of the annual meetings convened by the CAJP.

VII. HUMAN AND FINANCIAL RESOURCES

In addition to the existing resources in the Regular Fund of the program-budget of the Organization, a specific voluntary fund, to be administered by the Summits of the Americas Secretariat, will be established to contribute to funding the activities assigned to the organs, agencies, and entities of the OAS in support of this Program. The CAJP will determine the use of such funds.

This notwithstanding, the Program implementers may allocate and obtain funds to carry out the specific optional activities.

The political organ responsible for Program execution will be the CAJP, which, for this purpose, will receive support from the unit within the General Secretariat assigned for this purpose.

CROSS-REFERENCE TABLE

The following indicative table shows the relationship between the objectives and the activities assigned to each of the beneficiaries or implementers of the Program. The Program's specific objectives appear in the columns of the cross-reference table, while the Program's activities to be undertaken by the OAS organs, agencies, and entities, specific optional activities to be carried out by the states, and activities being carried out by the multilateral organizations in accordance with their mandates, appear in the table's rows.

Objectives \ Activities	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1.										X			X							
2.	X								X			X	X	X						
3.										X		X	X			X	X			
4.										X			X			X	X			
5.				X	X								X							
6.				X									X	X						
7.						X							X							
8.				X		X	X						X							
9.				X		X							X		X					
10.				X		X	X						X			X				
11.				X		X							X		X					
12.								X					X	X				X		
13.	X							X	X				X							
14.													X							
15.										X		X	X							
16.				X	X								X							

Objectives \ Activities	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
17.													X							
18.	X								X	X		X	X							X
19.	X								X	X		X	X			X				
20.													X							
21.													X							
22.													X						X	
23.													X						X	
24.													X						X	
25.													X	X					X	
26.													X						X	
27.											X		X	X					X	
28.													X						X	
29.		X							X	X			X	X		X				
30.	X	X							X				X							
31.	X								X				X							
32.											X		X							
33.	X	X	X						X											
34.				X						X										
35.		X				X	X	X	X	X										
36.																X				
37.		X							X											
38.						X	X													
39.				X										X		X				
40.																X	X			

Objectives	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Activities																				
41.						X	X			X						X				
42.	X								X					X		X				
43.	X							X	X	X						X				
44.	X								X						X	X				
45.															X					
46.																X				
47.																X				
48.														X		X		X		
49.	X								X							X	X			
50.	X								X	X	X			X						
51.							X													
52.						X														
53.																X	X			
54.																			X	
55.																			X	X
56.	X							X		X				X						
57.	X								X	X						X		X		
58.	X	X				X	X	X						X						
59.								X						X		X				
60.								X		X				X						
61.								X		X				X	X					
62.								X		X				X						
63.					X			X		X	X			X						
64.				X				X						X						
65.								X						X						

Objectives	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Activities																				
66.										X					X	X				
67.												X				X				
68.								X		X						X				
69.								X		X										
70.						X														
71.							X					X								
72.						X														
73.			X			X														
74.						X									X					
75.				X		X														
76.																				X
77.			X							X	X					X				
78.				X						X		X								
79.																X				
80.			X													X				
81.			X							X				X						
82.			X					X						X						
83.			X											X						
84.																				
85.																				
86.			X		X		X													
87.	X		X			X			X											
88.												X							X	X
89.														X		X				
90.								X		X		X								
91.																X	X			

INTERNATIONAL INSTRUMENTS AND OTHER REFERENCE DOCUMENTS

This list comprises conventions and treaties that establish international obligations for the states that have agreed to be party to them, and declarations and sets of rules and principles approved in international forums. The latter complement and introduce elements for the interpretation of international obligations.

Some OAS member states have not signed and ratified all the instruments listed below. The following list is an illustrative enumeration of international instruments and other reference documents.

I. INTERNATIONAL INSTRUMENTS:

International Bill of Human Rights and General Human Rights Instruments

Universal Instruments

- Universal Declaration of Human Rights, 1948
- International Covenant on Civil and Political Rights, 1966
- International Covenant on Economic, Social and Cultural Rights, 1966

Regional Instruments

- American Declaration of the Rights and Duties of Man, 1948
- American Convention on Human Rights, 1969
- Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights "Protocol of San Salvador," 1988

Rights of Indigenous Peoples and Minorities

- Convention concerning Indigenous and Tribal Peoples in Independent Countries, 1989 (No. 169)
- Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992

Prevention of Discrimination

- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (111)
- Convention against Discrimination in Education, 1960
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965

- Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, 1981

Rights of Women

Universal Instruments

- Convention on the Elimination of All Forms of Discrimination against Women, 1979
- Declaration on the Elimination of Violence Against Women, 1993

Regional Instrument

- Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará,” 1994

Rights of the Child

- Minimum Age Convention, 1973 (No. 138)
- Convention on the Rights of the Child, 1989
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000

Rights of Older Persons

- United Nations Principles for Older Persons, 1991

Rights of Persons with Disabilities

Universal Instruments

- Declaration on the Rights of Mentally Retarded Persons, 1971
- Declaration on the Rights of Disabled Persons, 1975

Regional Instrument

- Inter-American Convention on the Elimination of All Forms of Discrimination against Person with Disabilities, 1999

Human Rights and the Administration of Justice: Protection of Persons Subjected to Detention or Imprisonment

Universal Instruments

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984

- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 1988
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty, 1990

Regional Instruments

- Inter-American Convention to Prevent and Punish Torture, 1985
- Inter-American Convention on Forced Disappearance of Persons, 1994

Freedom of Association

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Slavery, Servitude, Forced Labour and Similar Institutions and Practices

- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)

Rights of Migrants

- Migration for Employment Convention (Revised), 1949 (No. 97)
- International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, 1990
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000

Nationality, Statelessness, Asylum, and Refugees

Universal Instruments

- Convention relating to the Status of Refugees, 1951
- Convention relating to the Status of Stateless Persons, 1954
- Convention on Diplomatic Asylum, 1954
- Convention on Territorial Asylum, 1954
- Protocol relating to the Status of Refugees, 1967
- Declaration on the Human Rights of Individuals who are not Nationals of the Country in which They Live, 1985

Regional Instrument

- Cartagena Declaration on Refugees, 1984

Trafficking in Persons

- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000

Consular Relations

- Vienna Convention on Consular Relations, 1963

II. OTHER REFERENCE DOCUMENTS:

Other reference documents include the judgments of the Inter-American Court of Human Rights, which are applicable only to those states which have accepted the Court's jurisdiction, as well as the advisory opinions of the Court and the recommendations and reports of the Inter-American Commission on Human Rights.

- Inter-American Court of Human Rights: *The Right to Information on Consular Assistance in the Framework of the Guarantees of the due Process of Law*, Advisory Opinion OC-16/99 of October 1, 1999, Series A No. 16
- Inter-American Court of Human Rights: *Juridical Condition and Rights of the Undocumented Migrants*, Advisory Opinion OC-18/03 of September 17, 2003, Series A No. 18

AG/RES. 2142 (XXXV-O/05)

THE AMERICAS AS AN ANTIPERSONNEL-LAND-MINE-FREE ZONE^{1/}

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5); and

The Report of the General Secretariat on the Implementation of Resolutions AG/RES. 1995 (XXXIV-O/04), "Support for the Program of Integral Action against Antipersonnel Mines in Central America," AG/RES. 2002 (XXXIV-O/04), "Support for Action against Mines in Peru and Ecuador," and AG/RES. 2003 (XXXIV-O/04), "The Americas as an Antipersonnel-Land-Mine-Free Zone" (CP/doc.3990/05);

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;

BEARING IN MIND the adoption by the General Assembly at this thirty-fifth regular session of resolutions AG/RES. 2106 (XXXV-O/05), "Support for the Program for Comprehensive Action against Antipersonnel Mines in Central America"; and AG/RES. 2105 (XXXV-O/05), "Support for Action against Antipersonnel Mines in Ecuador and Peru"; and the important achievements and progress reflected in both these resolutions;

RECALLING ALSO the Declaration on Security in the Americas, adopted on October 28, 2003, at the Special Conference on Security, held in Mexico City, 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

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1. The United States does not support this resolution. The "conversion of the Americas into an antipersonnel-land-mine-free zone" is incompatible with current United States landmine policy, which clearly states that we will not become a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention). The United States remains committed to humanitarian mine action and to cooperating in practical steps to end the harmful legacy of landmines. The United States will continue to support OAS efforts to eliminate the humanitarian threat of all persistent landmines and declare countries "mine-impact-free".

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 ordnance 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;

RECOGNIZING WITH GREAT SATISFACTION:

The mine-free declaration made by the Government of Honduras at the conclusion of the final phase of its National Mine Action Plan, in October 2004, and the more than 65,000 families who benefited from this important humanitarian effort;

The important efforts made by the Government of Guatemala to complete its mine clearance programs in 2005, joining El Salvador and Costa Rica as formerly mine-affected states, and thereby moving one step closer to transforming Central America into the first mine-free subregion in the world;

The efforts made by the Government of Suriname to become a land-mine-free country before the end of 2005;

That the Government of Colombia completed, in October 2004, the destruction of its stockpiles, in accordance with Article 4 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention);

The completion of stockpile destruction and fulfillment of Article 4 of the Ottawa Convention by all of the hemispheric states parties thereto;

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 on the implementation of the Ottawa Convention, which is now in force for 32 sovereign states of the region;

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 the Program for Comprehensive Action against Antipersonnel Landmines (AICMA), together with the technical assistance of the Inter-American Defense Board;

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-land-mine-free zone;

The contribution of the Government of Ecuador as host country of the II Regional Mine Action Seminar, held in August 2004, in Quito, Ecuador, and the offer of the Government of Chile to host the next regional meeting, in Santiago;

The outstanding work of nongovernmental organizations in furthering the aim of a Hemisphere and a world free of antipersonnel land mines, which is often performed in cooperation and association with the states; and

The importance of mine action when carried out in a joint and consolidated fashion, as in the case of the work being done by the Governments of Ecuador and Peru on their common border, which has resulted in information exchange and levels of cooperation that constitute an effective mutual confidence-building measure and an avenue toward further integration of their peoples; and

TAKING NOTE OF the successful outcomes of the Nairobi Summit on a Mine Free World and the Action Plan adopted by the Summit participants,

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 call upon all states parties and states not parties that share 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) to take all necessary action, at the national, regional, and international levels, to implement the Nairobi Action Plan 2005-2009.
4. To urge member states which have not yet done so to ratify or consider acceding to the Ottawa Convention as soon as possible to ensure its full and effective implementation.
5. Once again to 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.

6. To reiterate the importance of mine action as a regional confidence- and security-building measure between and among states.

7. To encourage member states to participate in the Meeting of States Parties to the Ottawa Convention to be held in Croatia in December 2005.

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 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. To instruct the General Secretariat to report to the Permanent Council before the thirty-sixth regular session of the General Assembly on the implementation of this resolution.

AG/RES. 2143 (XXXV-O/05)

PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
WHILE COUNTERING TERRORISM

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING its resolutions AG/RES. 1840 (XXXII-O/02), AG/RES. 1906 (XXXII-O/02), AG/RES. 1931 (XXXIII-O/03), and AG/RES. 2035 (XXXIV-O/04), 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);

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 and impairs the full enjoyment and exercise of human rights;

TAKING INTO ACCOUNT:

That, in the Declaration of Port-of-Spain, adopted on February 17, 2005, the member states reaffirmed “that terrorism in all its forms and manifestations, whatever its origin or motivation, has no justification whatsoever and constitutes a grave threat to international peace and security, undermines on-going efforts to foster stability, prosperity and equity in the countries of the region, and violates the democratic values and principles enshrined in the OAS Charter, Inter-American Democratic Charter and other regional and international instruments”;

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); and

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 law, international refugee law, and international humanitarian law;

WELCOMING that, with the ratifications of Antigua and Barbuda, Canada, Chile, Dominica, El Salvador, Honduras, Mexico, Nicaragua, Paraguay, 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, which brings to 12 the number of countries that have ratified the Convention; 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, compliance with due process, 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 refugee law, and international humanitarian law.

3. To encourage all member states, with a view to fulfilling the commitments undertaken in this resolution, to consider signing and ratifying, ratifying, or acceding to, as the case may be and as soon as possible, the Inter-American Convention against Terrorism and the American Convention on Human Rights; and to encourage the states parties to take appropriate steps to implement the provisions of those treaties.

4. To request the Inter-American Commission on Human Rights (IACHR) to continue promoting respect for and the defense of human rights and facilitating efforts by member states to comply appropriately with their international human rights commitments when developing and executing counterterrorist measures, including, in particular, the rights of persons who might be at a disadvantage, subject to discrimination, or at risk 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 request the IACHR to continue preparing recommendations for the protection of human rights by member states in the fight against terrorism, in coordination with the Inter-American Committee against Terrorism (CICTE) and in consultation with national experts, as requested in resolution AG/RES. 2035 (XXXIV-O/04), prior to the thirty-sixth regular session of the General Assembly.

6. On the basis of the recommendations referred to in the preceding paragraph, the Permanent Council may consider preparing draft common terms of reference for the protection of

human rights and fundamental freedoms in the fight against terrorism, that compile current international standards based on applicable international law, as well as best practices, for consideration by the General Assembly.

7. To reiterate the importance of intensifying dialogue among the CICTE, the IACHR, and other pertinent areas of the Organization, with a view to improving and strengthening their ongoing collaboration on the issue of protecting human rights and fundamental freedoms while countering terrorism.

8. To request the Permanent Council to present a report to the General Assembly at its thirty-sixth 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. 2144 (XXXV-O/05)

PROMOTION OF HEMISPHERIC COOPERATION IN DEALING WITH GANGS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

TAKING INTO CONSIDERATION the findings of studies by different international organizations and some member states on the issue of gangs, which conclude that it is a very complex matter and should be addressed from a holistic viewpoint, including, *inter alia*, prevention, social support, respect for and protection of human rights, and national law enforcement;

ACKNOWLEDGING that gangs are a problem experienced primarily by the countries of Central America and North America and call for in-depth analysis, as they represent a challenge that requires, first of all, recognition of the advisability and urgency of becoming more knowledgeable about the needs of their members; and

NOTING:

The General Secretariat's initiative to hold, in Tapachula, Chiapas, Mexico, on June 16 and 17, 2005, the Meeting on Transnational Criminal Youth Gangs: Characteristics, Importance and Public Policies, and their relationship with the drug problem in the context of transnational organized crime; and

The initiative of El Salvador to hold, in San Salvador, El Salvador, from June 28 to 30, 2005, the First Regional Forum on Social Prevention of Violence and the Rehabilitation and Reintegration of At-Risk Youth and Youth Offenders," in order to help find a solution to this problem, from a social and human perspective,

RESOLVES:

1. To urge member states to hold seminars and workshops to exchange experiences at the regional, subregional, and national levels on the diverse aspects of gang formation and its prevention.

2. To urge the General Secretariat and the appropriate OAS bodies to support efforts to address this issue in the inter-American arena.

3. To urge the General Secretariat to disseminate any reports that emerge from the special meeting that, within the framework of the OAS, will be held on this subject in Tapachula, Chiapas, Mexico, and to provide appropriate follow-up to them.

4. Also to urge the General Secretariat to disseminate any reports that emerge from the aforementioned First Regional Forum on Social Prevention of Violence and the Rehabilitation and Reintegration of At-Risk Youth and Youth Offenders.

5. To instruct the General Secretariat to consolidate the results of the various studies conducted in the Hemisphere on this topic.

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

7. To instruct the Permanent Council to follow up on this resolution and to present a report on its implementation to the General Assembly at its thirty-sixth regular session.

AG/RES. 2145 (XXXV-O/05)

DENYING MANPADS TO TERRORISTS: CONTROL AND SECURITY
OF MAN-PORTABLE AIR DEFENSE SYSTEMS (MANPADS)

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

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);

RECALLING ALSO its resolution AG/RES. 1 (XXIV-E/97), in which it resolved to adopt and open for signature the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), whose scope includes any “weapon or destructive device such as any explosive, incendiary or gas bomb, grenade, rocket, rocket launcher, missile, missile system, or mine”;

RECOGNIZING:

United Nations General Assembly resolution 59/90, “Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems,” adopted in December 2004, through which states are urged to support current international, regional, and national efforts to combat and prevent the illicit transfer and unauthorized access to and use of man-portable air defense systems (MANPADS), and which stresses the importance of effective and comprehensive national controls on the production, stockpiling, transfer, and brokering of MANPADS; and

The commitment by states at the United Nations to take concrete steps to combat the threat posed by MANPADS, including increased regional cooperation to this end;

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;

NOTING the efforts of the Assembly of the International Civil Aviation Organization (ICAO) at its 35th session, held in Montreal, Canada, in October 2004, regarding measures needed to mitigate the threat posed by unauthorized use of MANPADS, especially cooperative regional actions;

TAKING NOTE of the Declaration of Quito, adopted at the Sixth Conference of Ministers of Defense of the Americas, which recognizes “the threat posed to civil aviation by the possible use of manportable air defense systems (MANPADS) by terrorist groups”;

NOTING WITH SATISFACTION the commitment made by the member states of the Inter-American Committee against Terrorism (CICTE), at its fifth regular session, held in February 2005 in Port-of-Spain, Trinidad and Tobago, “to strengthen multilateral efforts to prevent terrorist threats against all transportation systems and confront the threat posed by terrorists’ acquisition and use of man portable air defense systems (MANPADS) as well as other potential threats against international civil aviation”;

NOTING WITH SATISFACTION ALSO 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;

RECOGNIZING:

The threat posed to international civil aviation by the illicit transfer or unauthorized acquisition and use of MANPADS—surface-to-air missile systems specifically designed to be carried and fired by a single individual or individuals; and

That the ease with which MANPADS are transported and concealed heightens the risk of their illicit use;

NOTING WITH CONCERN that the number of MANPADS in worldwide circulation increases the likelihood of MANPADS falling into the hands of terrorists; and

UNDERSCORING:

The urgent need to confront the threat posed to international civil aviation by the acquisition or use of MANPADS by terrorists; and

The need to ensure and maintain effective physical security and management of MANPADS stockpiles to prevent unauthorized retransfer, loss, theft, diversion, or use of MANPADS,

RESOLVES:

1. To urge member states to adopt and maintain strict national controls and security measures on man-portable air defense systems (MANPADS) and their essential components.
2. To urge member states to ban all transfers of MANPADS and their essential components to non-state end users because MANPADS should be exported only to foreign governments or to agents authorized by a government.
3. To urge member states to destroy surplus MANPADS as determined by each member state and secure and effectively manage remaining national stockpiles, and to provide, if in a position to do so, technical assistance to aid other member states, at their request, in collecting, securing, managing, and destroying stockpiles of excess MANPADS.

4. To urge all member states to consider applying the recommended guidelines for control and security of MANPADS as defined in the appended document, which is an integral part of this resolution.

5. To request the Permanent Council to convene a meeting at the level of the Committee on Hemispheric Security and in coordination with 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), prior to the thirty-sixth regular session of the General Assembly, on effective strategies to mitigate the threat posed by MANPADS.

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 thirty-sixth regular session of the General Assembly on the implementation of this resolution.

APPENDIX

DENYING MANPADS TO TERRORISTS: OAS RECOMMENDED GUIDELINES
FOR CONTROL AND SECURITY OF MAN-PORTABLE AIR
DEFENSE SYSTEMS (MANPADS)

The International Civil Aviation Organization (ICAO) has highlighted the threat to civil aviation posed by man-portable air defense systems (MANPADS) by calling on states to ensure that they are taking all steps necessary to protect their citizens and air travel. MANPADS in the wrong hands pose a serious threat to international civil aviation. Dedicated to strengthening joint efforts to curb terrorist threats against mass transportation and confront the threat posed by terrorists' acquisition and use of MANPADS against international aviation, OAS member states have agreed to adhere to the following guidelines for export control and security of MANPADS.

1. Scope

MANPADS are defined as: surface-to-air missile systems designed to be man-portable and carried and fired by a single individual or individuals.

MANPADS controlled under these guidelines refer to complete systems, components, spare parts, models, training systems, and simulators, for any purpose, by any means, including licensed export, sale, grant, loan, lease, coproduction or licensing arrangement for production (hereafter "export"). The scope of control regulations apply to research, design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, servicing, modification, upgrade, modernization, operation, use, replacement or refurbishment, demilitarization, and destruction of MANPADS; technical data, software, technical assistance, demonstration, and training associated with these functions; and secure transportation and storage. This scope according to domestic legislation may also refer to investment, marketing, advertising, and other related activities.

Any activity related to MANPADS within the territory of an OAS member state is subject to domestic laws and regulations.

2. Stockpile Control and Security

National measures designed to attain the requisite control and security include, but are not limited to, the following set of practices, or others that will achieve comparable levels of protection and accountability:

- When receiving MANPADS, written verification of receipt of MANPADS shipments.
- Inventory by serial number of the initial shipments of all transferred firing mechanisms and missiles, if physically possible; and maintenance of written records of inventories.

- Physical inventory of all MANPADS subject to transfer, at least once a month; account by serial number for MANPADS components expended or damaged during peacetime.
- Ensure storage conditions are sufficient to provide for the highest standards of security and access control. These may include:
 - Where the design of MANPADS permits, storing missiles and firing mechanisms in locations sufficiently separate so that a penetration of the security at one site will not place the second site at risk.
 - Ensuring continuous (24-hour per day) surveillance.
 - Establishing safeguards under which entry to storage sites requires the presence of at least two authorized persons.
- Transport MANPADS in a manner that provides for the highest standards and practices for safeguarding sensitive munitions in transit. When possible, transport missiles and firing mechanisms in separate containers.
- Where applicable, bring together and assemble the principal components--typically the gripstock and the missile in a launch tube--only in the event of hostilities or imminent hostilities; for firing as part of regularly scheduled training, or for lot testing, for which only those rounds intended to be fired will be withdrawn from storage and assembled; when systems are deployed as part of the point defenses of high priority installations or sites; and in any other circumstances which might be agreed between the receiving and transferring states.
- Access to hardware and any related classified information will be limited to military and civilian personnel of the receiving state who have the proper security clearance and who have an established need to know the information in order to perform their duties. Any information released will be limited to that necessary to perform assigned responsibilities and, where possible, will be oral and visual only.
- Adopt prudent stockpile management practices that include effective and secure disposal or destruction of MANPADS stocks that are or become in excess of domestic requirements as determined by each member state.

3. Transfers

All MANPADS transfers will be carried out in accordance with the provisions of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA). In addition, the following complementary practices are important:

- Decisions to permit MANPADS exports will be made by the exporting state by competent authorities at senior policy level and only to foreign states or to agents

specifically authorized to act on behalf of a state after presentation of an official End-User Certificate (EUC) certified by the receiving state.

- General licences are inapplicable for exports of MANPADS; each transfer is subject to an individual licensing decision.
- Exporting states will not make use of nongovernmental brokers or brokering services when transferring MANPADS, unless specifically authorized to on behalf of the state.
- In order to authorize MANPADS exports, both the exporting and importing states will take into account:
 - The need to protect against potential diversion or misuse in the states;
 - The need to ensure appropriate measures to protect against unauthorized re-transfers, loss, theft, and diversion; and
 - The need to ensure adequate and effective physical security arrangements for the protection of military property, facilities, holdings, and inventories.
- Prior to authorizing MANPADS exports, the exporting state will assure itself of the recipient state's guarantees:
 - Not to reexport MANPADS except with the prior consent of the exporting state;
 - To afford requisite security to classified material and information in accordance with applicable bilateral agreements, to prevent unauthorized access or compromise;
 - To inform promptly the exporting state of any instance of compromise, unauthorized use, loss, or theft of any MANPADS material.
- In addition, the exporting state will satisfy itself of the recipient state's willingness and ability to implement effective measures for secure storage, handling, transportation, use of MANPADS material, and disposal or destruction of excess stocks to prevent unauthorized access and use. The recipient state's domestic procedures designed to attain the requisite security include, but are not limited to, the above set of practices mentioned in section 2, or others that will achieve comparable levels of protection and accountability.

AG/RES. 2146 (XXXV-O/05)

EXTRADITION OF AND DENIAL OF SAFE HAVEN TO TERRORISTS:
MECHANISMS FOR COOPERATION IN THE FIGHT AGAINST TERRORISM

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN WITH SATISFACTION the instruments adopted in the framework of the Organization of American States, as an expression of the political will of member states to strengthen reciprocal cooperation in the fight against terrorism;

RECALLING the Inter-American Convention against Terrorism; resolution RC.23/RES.1/01 rev. 1 corr. 1, adopted at the Twenty-third Meeting of Consultation of Ministers of Foreign Affairs, held in Washington, D.C., on September 21, 2001, entitled “Strengthening Hemispheric Cooperation to Prevent, Combat, and Eliminate Terrorism”; and United Nations Security Council resolution 1373 (2001), adopted on September 28, 2001;

REITERATING the commitment undertaken in paragraph 23 of the Declaration on Security in the Americas, to the effect that “[i]n the legal framework referred to in the previous paragraph [paragraph 22], *we shall foster*, in the countries of the Hemisphere, the capacity to prevent, punish, and eliminate terrorism. We shall strengthen the Inter-American Committee against Terrorism and bilateral, subregional, and hemispheric cooperation, through information exchange and the broadest possible mutual legal assistance to prevent and suppress the financing of terrorism, prevent the international movement of terrorists, without prejudice to applicable international commitments in relation to the free movement of people and the facilitation of commerce, and ensure the prosecution, in accordance with domestic law, of those who participate in planning, preparing, or committing acts of terrorism, and those who directly or indirectly provide or collect funds with the intention that they should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts. We undertake to identify and fight new terrorist threats, whatever their origin or motivation, such as threats to cyber security, biological terrorism, and threats to critical infrastructure”;

UNDERSCORING the importance of cooperation among law enforcement authorities and provision of mutual legal assistance, including extradition, in the fight against terrorism, as well as the importance of observing the agreements and standards adopted by member states, in particular the Inter-American Convention against Terrorism and the instruments referred to in its Article 2;

RECALLING that the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V) reaffirmed 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 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”;

REAFFIRMING that the fight against terrorism must be waged with full respect for the law, human rights, due process, and democratic institutions, so as to preserve the rule of law, freedoms, and democratic values in the Hemisphere; and

REAFFIRMING ALSO that all member states have a duty to ensure that all measures adopted to combat terrorism, including extradition, are in compliance with their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law,

RESOLVES:

1. To urge all member states of the Organization of American States to comply fully with their obligations as established in the relevant instruments adopted to combat terrorism to which they are party, in particular the applicable provisions regarding the provision of mutual legal assistance and the extradition of anyone participating in the planning, preparation, financing, or commission of terrorist acts or, where appropriate, the attempted commission of said offenses.

2. To urge all member states to prosecute and, as appropriate, extradite, in accordance with their domestic laws and relevant treaties and conventions, anyone participating in the planning, preparation, commission, or financing of terrorist acts or, where appropriate, the attempted commission of said offenses.

3. To exhort member states to adopt as applicable, in conformity with Articles 12 and 13 of the Inter-American Convention against Terrorism, appropriate measures in accordance with the pertinent provisions of domestic and international law to ensure that neither refugee status nor asylum is granted to persons in respect of whom there are reasonable grounds for considering that they have committed an offense established in the international instruments listed in Article 2 of the aforementioned Convention.

4. Also to urge member states to prevent, in accordance with United Nations Security Council resolution 1373 (2001), anyone participating in the planning, preparation, financing, or commission of terrorist acts or, where appropriate, the attempted commission of said offenses, from finding safe haven in their territories.

5. In the implementation of this resolution, member states shall take into consideration Article 15.2 of the Inter-American Convention against Terrorism, which states: "Nothing in this Convention shall be interpreted as affecting other rights and obligations of states and individuals under international law, in particular the Charter of the United Nations, the Charter of the Organization of American States, international humanitarian law, international human rights law, and international refugee law."

6. To support the efforts and work of the member states and the organs, agencies, and entities of the OAS carried out in accordance with the mechanisms established to combat terrorism.

7. To welcome the decision made by the Fifth Meeting of the Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA-V) 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.”

8. To urge member states to ensure, in the framework of their international commitments, that no one who is extradited shall be subjected to serious human rights violations or to cruel, inhuman, or degrading punishment.

AG/RES. 2147 (XXXV-O/05)

STRENGTHENING DEMOCRACY IN HAITI

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECOGNIZING that one of the essential purposes of the Organization of American States is to promote and consolidate representative democracy and respect for democratic institutions, with due regard for the principle of nonintervention, as stated in its Charter;

REAFFIRMING the principles contained in the Inter-American Democratic Charter and in particular the principle that the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it;

RECALLING the resolutions of the Permanent Council and its own resolutions on the situation in Haiti, in particular resolution AG/RES. 2058 (XXXIV-O/04), which requested “the OAS Special Mission for Strengthening Democracy in Haiti ... 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)” and called on “all sectors of Haitian society to undertake all necessary initiatives to achieve these objectives” of promoting “full and lasting democracy and the strengthening of democratic institutions with guarantees for citizens and respect for fundamental freedoms”;

RECALLING ALSO the reports submitted by the Acting Secretary General to the Permanent Council on developments in the situation in Haiti;

NOTING the preparations made for the holding of elections on October 9, November 13, and December 18, 2005, but also the concerns expressed by several member states that preparations need to be accelerated to ensure timely elections;

EXPRESSING its support for the process of dialogue launched by the transitional Government of Haiti on April 7, 2005;

EXPRESSING ALSO its support for the work carried out by the OAS Special Mission for Strengthening Democracy in Haiti;

NOTING:

The mission undertaken to Haiti in April 2005 by the United Nations Security Council in conjunction with the Ad Hoc Advisory Group of the Economic and Social Council of the United Nations to assess the situation in Haiti and to foster normalization;

The visit made to Haiti in September 2004 by a delegation of representatives of member states of the Permanent Council, and the on-site visit made by the Inter-American Commission on Human Rights in April 2005 to assess the human rights situation in Haiti; and

The International Donors Conference on Haiti, held at the World Bank in Washington, D.C., in March 2004, as well as the Ministerial Meeting on Aid for the Reconstruction of Haiti, held in Cayenne, French Guiana, in March 2005, and the Montreal International Conference on Haiti, scheduled to be held in Montreal, Canada, on June 16 and 17, 2005;

SEEKING to restore security in Haiti and to promote the socioeconomic recovery of the Haitian people in a peaceful and stable political environment;

RECALLING that security, political reconciliation, and economic reconstruction efforts remain key to the stability of Haiti; and

NOTING:

The concerns about the situation of the Haitian justice and correctional systems, including prolonged pretrial detentions and the need to strengthen due process; and

The grave challenges faced by the Haitian National Police in effectively confronting armed gangs while protecting the constitutional and human rights of all Haitians,

RESOLVES:

1. To urge the transitional Government of Haiti, in conjunction with Haiti's Provisional Electoral Council (CEP) and with support from the OAS Special Mission for Strengthening Democracy in Haiti and the United Nations Stabilization Mission in Haiti (MINUSTAH), to take all necessary steps as quickly as possible to ensure the holding of inclusive, free, fair, transparent, and democratic elections on October 9 and November 13, 2005, and, if required, on December 18, 2005.

2. To encourage, in accordance with the Memorandum of Understanding between the OAS and the United Nations of November 2004, the pursuit of initiatives and activities aimed at creating a secure and stable climate conducive to the electoral process.

3. To urge the transitional Government of Haiti, in order to facilitate the electoral process, to provide all required support for the OAS Special Mission and to put at the disposal of the CEP all necessary resources, such as the use of public buildings and the radio spectrum, and to expeditiously issue customs permits, to accelerate the voter registration process.

4. To urge all Haitians to register to vote and to participate in the upcoming elections.

5. To instruct the General Secretariat to adopt all measures necessary for monitoring and observing the elections, if so requested.

6. To invite the Caribbean Community (CARICOM) and other members of the international community to lend their support to the electoral process.

7. To encourage the professionalization of the Haitian National Police, including the vetting and certification of new and existing officers, with the assistance of the international community.

8. To underscore the importance of the transitional Government's efforts to deter violence and deal firmly with illegal armed groups and the problems they pose, with full respect for the constitutional and human rights of all Haitians, in order to restore security and public order; and to recognize the need for increased capacity of the Haitian National Police in this regard.

9. To recognize the transitional Government's efforts to promote the processes of disarmament, demobilization, and reintegration of former members of the Haitian armed forces and illegal armed groups, as an essential component for promoting peace and reconciliation in Haiti; and to reiterate the need for strengthening those efforts.

10. To urge member states, the international community, and regional organizations to assist the transitional Government of Haiti in addressing the serious threat posed by the proliferation of and illicit trafficking in small arms and light weapons in its territory.

11. To commend and urge the transitional Government to move forward expeditiously with the National Dialogue Initiative to promote harmonious coexistence, peace, and national reconciliation.

12. To reaffirm support for the OAS Special Mission and its activities, and the need to continue working in support of elections, the strengthening of democratic institutions, and the protection of human rights.

13. To urge the Inter-American Commission on Human Rights (IACHR) to continue to monitor and report on the human rights situation in Haiti and to work with the OAS Special Mission on the promotion and observance of those rights.

14. To urge all sectors in Haiti, without exception, to support and participate actively in the National Dialogue in order to rebuild and ensure the proper functioning of democratic institutions.

15. To reiterate its support for MINUSTAH and to request the Secretary General to invite the United Nations to maintain its support for the Haitian people, particularly during the critical electoral process and subsequent political transition.

16. To urge the transitional Government of Haiti to adopt all necessary measures to reform the judicial sector, including by urgently accelerating judicial proceedings to ensure that the constitutional rights of detained persons are respected and to reduce, in accordance with due process, the high number of prisoners awaiting trial, including all members of the former government in that situation.

17. To encourage the transitional Government of Haiti to strengthen the judicial system to attain an equitable distribution of justice in accordance with Haitian law, including by increased cooperation between Haitian judicial authorities and international experts.

18. To urge the transitional Government of Haiti to adopt all measures necessary for combating impunity, observing and protecting human rights, and restoring the rule of law, in order to further promote confidence within Haitian society.

19. To express its solidarity with the Haitian people by supporting institutional development in Haiti, together with economic and social development; and to call on the international community to follow through on their commitment to strengthen democracy in Haiti by supporting economic and social programs, in order to alleviate poverty and promote economic development.

20. To instruct the Secretary General to report quarterly on the situation in Haiti to the Permanent Council, which shall, on a regular basis, review the mandates of the OAS Special Mission and take all steps it deems necessary for its optimal functioning.

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

AG/RES. 2148 (XXXV-O/05)

COMBATING THE COMMERCIAL SEXUAL EXPLOITATION AND SMUGGLING OF AND
TRAFFICKING IN CHILDREN IN THE HEMISPHERE

(Adopted at the fourth plenary session, held on June 7, 2005)

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 (Palermo Convention); 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 (CJI) 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 (CIM) 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 (IIN) 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 may 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 coordination with the Inter-American Children's Institute (IIN) and in the context of the draft it is preparing 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, 2005, for its consideration, a study on trafficking in children for purposes of commercial sexual exploitation in the Hemisphere.

4. To acknowledge with appreciation the work of the IIN and the contributions by member states in connection with the preparation of the report on trafficking in persons presented to the Permanent Council during the first quarter of 2005.

5. To request the Justice Studies Center of the Americas (JSCA) to present to the Permanent Council (Special Committee on Transnational Organized Crime), before December 31, 2005, for its consideration, a report, to the extent that funding is available, 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 enforcement of domestic and international law.

6. To instruct the Inter-American Commission on Human Rights (IACHR) to consider Advisory Opinion OC-17/2002, "Juridical Condition 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 (CAJP), during 2005, to consider the documents presented by the CIM, the IIN, the JSCA, and the IACHR and to recommend future measures to be taken in this regard, taking into account the results of the meeting of high authorities on trafficking in persons, in order to address the topic from a comprehensive and all-inclusive perspective within the framework of the United Nations Convention against Transnational Organized Crime (Palermo Convention), and to invite relevant organizations working in these areas, such as the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), and others, to attend the special meeting of the CAJP.

9. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2149 (XXXV-O/05)

RIGHT TO FREEDOM OF THOUGHT AND EXPRESSION
AND THE IMPORTANCE OF THE MEDIA

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING that the right to freedom of expression, which includes the freedom to seek, receive, and impart information and ideas of all kinds, is recognized in Article IV of the American Declaration of the Rights and Duties of Man, Article 13 of the American Convention on Human Rights, the Inter-American Democratic Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and other international instruments and national constitutions, as well as United Nations General Assembly resolution 59 (I) and resolution 104 of the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO);

RECALLING ALSO that Article IV of the American Declaration of the Rights and Duties of Man states that “[e]very person has the right to freedom of investigation, of opinion, and of the expression and dissemination of ideas, by any medium whatsoever”;

RECALLING FURTHER that Article 13 of the American Convention on Human Rights states that:

1. Everyone 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.

2. The exercise of the right provided for in the foregoing paragraph shall not be subject to prior censorship but shall be subject to subsequent imposition of liability, which shall be expressly established by law to the extent necessary to ensure:

- a. respect for the rights or reputations of others; or
- b. the protection of national security, public order, or public health or morals.

3. The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions.

4. Notwithstanding the provisions of paragraph 2 above, public entertainments may be subject by law to prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence.

5. Any propaganda for war and any advocacy of national, racial, or religious hatred that constitute incitements to lawless violence or to any other similar action against any person or group of persons on any grounds including those of race, color, religion, language, or national origin shall be considered as offenses punishable by law;

NOTING the “Declaration of Principles on Freedom of Expression” of the Inter-American Commission on Human Rights;

NOTING ALSO Volume III of the Annual Report of the Inter-American Commission on Human Rights to the General Assembly 2004, on freedom of expression, which includes Chapter II, “The situation of the freedom of expression in the Hemisphere”; Chapter V, “Indirect violations of the freedom of expression: The impact of the concentration of media ownership”; and Chapter VII, “Hate speech and the American Convention on Human Rights”;

TAKING INTO ACCOUNT resolutions 2004/42 and 2005/38 of the United Nations Commission on Human Rights, “The right to freedom of opinion and expression”; and

RECALLING the studies and contributions approved by UNESCO regarding the contribution of the media to strengthening peace and international understanding, to the promotion of human rights and to countering racism and incitement to war,

RESOLVES:

1. To reaffirm the right to freedom of expression; and to call upon member states to respect and promote respect for this right, in accordance with the international human rights instruments to which they are party, such as the American Convention on Human Rights and the International Covenant on Civil and Political Rights, *inter alia*.

2. To urge those member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as the case may be, the American Convention on Human Rights.

3. To reaffirm that freedom of expression and dissemination of ideas are fundamental for the exercise of democracy.

4. To recognize that the contribution of the media is essential to democracy and to the promotion of pluralism, tolerance, and freedom of expression.

5. To urge member states to promote a pluralistic approach to information and multiple points of view by fostering full exercise of freedom of expression, access to media, and diversity in the ownership of media outlets and sources of information, through, *inter alia*, transparent licensing systems and effective regulations to prevent the undue concentration of media ownership.

6. To call upon member states to adopt all necessary measures to avoid violations of the right to freedom of expression and to create the necessary conditions for that purpose, including ensuring that relevant national legislation complies with their international human rights obligations and is effectively implemented.

7. To urge member states, within the legal framework of the international instruments to which they are party, to ensure respect for freedom of expression in the media and in radio and television broadcasts and, in particular, respect for the editorial independence of the media.

8. To urge member states to review their procedures, practices, and legislation, as necessary, to ensure that any limitations on the right to freedom of opinion and expression are only such as are provided by law and are necessary for the respect of the rights and reputation of others, or for the protection of national security or of public order (*ordre public*), or of public health or morals.

9. To request the Inter-American Commission on Human Rights to follow up on and deepen its study of the issues addressed in Chapters II, V, and VII of Volume III of its 2004 Annual Report, on freedom of expression, on the basis, *inter alia*, of the inputs on the subject that it receives from member states, provided that voluntary contributions are received to finance the continuation of said studies.

10. To instruct the Permanent Council to convene a meeting, through the Committee on Juridical and Political Affairs, with a view to conducting a more in-depth study of existing international jurisprudence regarding the subject of Article 13.5 of the American Convention on Human Rights and to invite the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights to take part in that meeting.

11. To request the Permanent Council to report to the General Assembly at its thirty-sixth 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. 2150 (XXXV-O/05)

OBLIGATION OF MEMBER STATES TO RESPECT THE RULES AND PRINCIPLES OF
INTERNATIONAL LAW CONTAINED IN THE OAS CHARTER IN ORDER TO PRESERVE
AND STRENGTHEN PEACE IN THE HEMISPHERE^{1/}

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

RECALLING that the background to the historical, legal, and political foundations of the Organization of American States includes the Pan American Union, which arose from the Amphictyonic Congress of Panama, convened to preserve the independence of the American republics, to promote peace and solidarity, to strengthen sovereignty, and to promote the economic, social, and cultural development of the peoples of the American Hemisphere;

RECALLING ALSO principles set forth in the Charter of the Organization of American States and the Charter of the United Nations;

REAFFIRMING, in the terms of the OAS Charter, that international law is the standard of conduct of states in their reciprocal relations and that international legal order consists essentially of full respect for the legal equality of states, sovereignty, nonintervention, independence, and the faithful fulfillment of obligations derived from treaties and other sources of international law, as well as good faith fulfillment of international obligations;

REAFFIRMING ALSO that due regard for the following essential purposes set forth in the OAS Charter is an effective means of strengthening peace and security in the Hemisphere: to seek the solution of political, juridical, and economic problems that may arise among the states; to prevent possible causes of difficulties; and to ensure the pacific settlement of disputes that may arise among the member states;

AFFIRMING that one of the binding rules for the preservation of regional peace on which the legal existence of the Organization of American States is based, is that every state has the right to choose, without external interference, its political, economic, and social system, and to organize itself in the manner that most suits it, and has the duty to refrain from intervening in the affairs of other states; and

EMPHASIZING the principles of cooperation and solidarity, which encourage friendship among states,

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1. The United States observes that this resolution includes partially inaccurate characterizations of the OAS Charter and international law in its third, fourth, and fifth preambular paragraphs, and its first operative paragraph. The United States is a party to the Charter, and accepts the Charter's statements on the subjects of those paragraphs. However, the United States cannot join consensus on this resolution to the degree that those paragraphs inaccurately characterize the Charter and international law.

RESOLVES:

1. To reiterate the content of Article 3 of the OAS Charter, which mentions, *inter alia*, the following principles that guarantee regional peace and constitute the foundations of the Organization of American States: full respect for the legal equality of states, sovereignty, political independence, territorial integrity, and nonintervention.

2. To urge member states to continue their efforts to promote solidarity, cooperation, and participation under equal conditions to attain social justice.

3. To request the Permanent Council to hold, through the Committee on Juridical and Political Affairs, a special meeting on the principles of international law contained in the OAS Charter.

4. To request the Secretary General to provide support for the implementation of this resolution and to present a report thereon to the General Assembly at its thirty-sixth regular session.

AG/RES. 2151 (XXXV-O/05)

DELIVERING THE BENEFITS OF DEMOCRACY:
PARTNERSHIP FOR INTEGRAL DEVELOPMENT

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

BEARING IN MIND:

That 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 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, according to the Declaration of Santiago on Democracy and Public Trust: A New Commitment to Good Governance for the Americas, 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 good governance practices that promote equal opportunity, education, health, and full employment;

That the Declaration of Quebec City, adopted at the Third Summit of the Americas, states that “[w]e will 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 21st century;

That, as recognized in the Monterrey Consensus, adopted at the 2002 United Nations International Conference on Financing for Development, held in Monterrey, Mexico, “[e]ach country has primary responsibility for its own economic and social development, ... [n]ational development efforts need to be supported by an enabling international economic environment,” and the states commit themselves to “mobilizing domestic resources, attracting international flows, promoting international trade as an engine for development, increasing international financial and technical cooperation for development, sustainable debt financing and external debt relief”;

That, in the Declaration of Margarita on poverty, equity, and social inclusion, a commitment was made “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”;

RECALLING:

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 to achieve integral development and, in particular, help to eliminate extreme poverty;

That Article 95 of the Charter of the Organization of American States mandates that the Inter-American Council for Integral Development formulate and recommend to the General Assembly a Strategic Plan that sets forth policies, programs, and courses of action in matters of cooperation for integral development;

That the purpose of CIDI is to promote partnership for development among the American states with a view to achieving their integral development, and, in particular, contributing to the elimination of extreme poverty, the principal scourge that the Hemisphere faces; and

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

TAKING INTO ACCOUNT:

That specialized organizations such as the Inter-American Institute for Cooperation on Agriculture (IICA) and the Pan American Institute of Geography and History (PAIGH) are helping to address development needs that are of concern to the OAS;

That the Inter-American Development Bank has committed to participating in OAS ministerials and has provided them with important input on education, culture, and science and technology;

That OAS permanent observers and other non-members have provided significant financial support for OAS activities;

The increasing expectations that businesses will carry out their operations in a manner consistent with their social and environmental responsibilities, as recognized in the Plan of Action of the Third Summit of the Americas; and

That the OAS has partner organizations such as the Pan American Development Foundation (PADF) and the Trust for the Americas that can channel nongovernment financing to local organizations to assist in implementing cooperation programs,

RESOLVES:

1. To entrust the Inter-American Council for Integral Development (CIDI) with formulating, by the end of 2005, a Strategic Plan for Partnership for Development 2006-2009, and then to convene a special meeting of CIDI to adopt it.

2. To invite the specialized organizations of the inter-American system to participate in the special meeting, as well as in the preparatory work for this meeting.

3. To entrust the Permanent Executive Committee of CIDI (CEPCIDI) with consulting with the permanent observer states and other donors on possible mechanisms to facilitate and expand cooperation.

4. To entrust CEPCIDI, building on the consultation conducted for individual sectoral ministerials, with developing a process to facilitate consultation with civil society, and the private sector, as appropriate, on the Strategic Plan and its implementation.

5. To delegate to CIDI approval of the Strategic Plan, *ad referendum* of the thirty-sixth regular session of the General Assembly.

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

AG/RES. 2152 (XXXV-O/05)

LIMITATION OF MILITARY SPENDING

(Adopted at the fourth plenary session, held on June 7, 2005)

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.4376/05 add. 5);

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, 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 (ABACC), 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), AG/RES. 1963 (XXXIII-O/03), and AG/RES. 2001 (XXXIV-O/04), "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.

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 2006, 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-sixth regular session on the implementation of this resolution.

AG/RES. 2153 (XXXV-O/05)

AMENDMENT TO THE STATUTE OF THE JUSTICE STUDIES
CENTER OF THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Justice Studies Center of the Americas to the General Assembly (CP/doc.3976/05);

CONSIDERING:

That, in resolution AG/RES. 1 (XXVI-E/99), the General Assembly decided to establish the Justice Studies Center of the Americas (JSCA) and to adopt its Statute; and

That Article 11 of the Statute of the JSCA establishes that “[t]he Board of Directors shall be composed of seven members elected in their personal capacity by the OAS General Assembly from among candidates nominated by the member states of the OAS” and that the members of the Board “shall serve for a three-year term; under no circumstances may they be re-elected for more than one consecutive term”;

RECOGNIZING that, under Article 18 of the Statute of the JSCA, the Statute may be amended only by the OAS General Assembly; and

TAKING INTO ACCOUNT that Article 11.3 of the Statute does not establish an alternative means of filling vacancies that occur for reasons other than normal expiration of the term of office of members of the Board of Directors of the JSCA,

RESOLVES:

To adopt the following amendment to the Statute of the Justice Studies Center of the Americas:

Article 11

3. Vacancies that occur for reasons other than normal expiration of the term of office shall be filled at the next session of the OAS General Assembly *or by the OAS Permanent Council, provided that at least six months remain between the date on which the vacancy becomes official and the next regular session of the General Assembly.*

AG/RES. 2154 (XXXV-O/05)

PROMOTION OF REGIONAL COOPERATION FOR IMPLEMENTATION OF THE
INTER-AMERICAN DEMOCRATIC CHARTER

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the Charter of the Organization of American States establishes the importance of the promotion and consolidation of representative democracy with due respect for the principle of nonintervention;

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 that democracy is essential for the social, political, and economic development of the peoples of the Americas; and

That representative democracy is an indispensable condition for the stability, peace, and development of the region;

RECALLING that democracy, social inclusion, social mobility, and economic development are interdependent and mutually reinforcing;

REAFFIRMING that multilateral cooperation plays an important part in support of national efforts to promote good governance and democratic principles and facilitates dialogue in the political, economic, social, and cultural spheres;

RECOGNIZING that representative democracy is reinforced and deepened by the continuous, ethical, and responsible participation of citizens in a framework of legality consistent with the corresponding constitutional order;

RECOGNIZING ALSO the importance of participation by civil society organizations;

AWARE that the peoples of the Hemisphere are entitled to fundamental freedoms, human rights, respect for the dignity and worth of the human person, equal rights for men and women, and the promotion of social justice and better living standards;

AWARE ALSO of the need to provide the Organization with procedures that facilitate cooperation in complying with the standards and principles contained in the Inter-American Democratic Charter, so that it may contribute effectively to the preservation and consolidation of democracy in the countries of the Hemisphere;

ACKNOWLEDGING that the effective implementation of the Inter-American Democratic Charter is an ongoing objective of the peoples and governments of the Americas;

RECALLING that the promotion and observance of economic, social, and cultural rights are inherently linked to integral development, equitable economic growth, and the consolidation of democracy in the states of the Hemisphere; and

RECALLING ALSO the work of other regional and subregional institutions and the need to coordinate with them,

RESOLVES:

1. To entrust the Secretary General with presenting to the Permanent Council, in the near future, a report for its consideration and analysis that describes the manner in which the Inter-American Democratic Charter has been implemented since its entry into force in 2001.

2. To instruct the Secretary General, after engaging in consultations with the Permanent Council, and taking into account the purposes and principles of the OAS Charter, in particular that of promoting and consolidating representative democracy, to devise proposals for timely, effective, balanced, and gradual initiatives for cooperation, as appropriate, in addressing situations that might affect the workings of the political process of democratic institutions or the legitimate exercise of power, in keeping with the provisions of Chapter IV of the Inter-American Democratic Charter, with respect for the principle of nonintervention and the right to self-determination, and to present those proposals to the Permanent Council.

3. To reaffirm that the Secretary General may bring to the attention of the Permanent Council, in the exercise of the authority conferred on him by the OAS Charter and pursuant to the Inter-American Democratic Charter, those situations likely to lead to action under the said Charters.

4. To instruct the Permanent Council, for the purpose of facilitating regional cooperation to strengthen representative democracy and good governance, to consider, in cooperation with governments, in an ongoing manner, initiatives to support these areas, in accordance with the provisions of the Inter-American Democratic Charter and with the circumstances surrounding democratic processes in the region, taking into consideration the Secretary General's report and proposals, the efforts of other regional and subregional organizations, and the contributions of civil society in the context of Article 26 of the Inter-American Democratic Charter and resolution AG/RES. 1991 (XXXIV-O/04), "Increasing and Strengthening Civil Society Participation in OAS Activities."

5. To encourage the Working Group to Negotiate the Social Charter of the Americas and a Plan of Action, so that its work may serve effectively to strengthen existing OAS instruments on democracy, integral development, and the fight against poverty.

6. To request the Permanent Council to report to the General Assembly on the status of implementation of this resolution.

AG/RES. 2155 (XXXV-O/05)

VOTE OF APPRECIATION TO THE PEOPLE AND GOVERNMENT OF THE UNITED STATES

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

CONSIDERING:

That the hospitality of the people and Government of the United States made it possible to hold the thirty-fifth regular session of the General Assembly in Fort Lauderdale, Florida, from June 5 to 7, 2005; and

That, during the General Assembly session, delegations were afforded many opportunities to engage in fruitful dialogue and consultations, which enabled the adoption of important declarations and resolutions on matters of critical importance to the Hemisphere,

RESOLVES:

1. To express its appreciation to the United States for its warm and generous hospitality and for its contribution to the successful outcome of the thirty-fifth regular session of the General Assembly of the Organization of American States.

2. To express its gratitude to the President and the Secretary of State of the United States; the authorities of the Government of the United States; Ambassador John F. Maisto, Permanent Representative of the United States to the OAS; Ambassador Ronald D. Godard, Special Coordinator for the General Assembly; the members of the Permanent Mission of the United States; the staff of the Department of State of the United States; and the Governor and authorities of the State of Florida, in particular Broward County and the city of Fort Lauderdale, who contributed with great efficiency, dedication, and professionalism to the success of the thirty-fifth regular session of the General Assembly.

AG/RES. 2156 (XXXV-O/05)

MODERNIZATION AND REORGANIZATION OF THE
OAS GENERAL SECRETARIAT

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN the Note from the Acting Secretary General Transmitting Executive Order No. 05-03 "Reorganization of the General Secretariat" (CP/INF.5126/05);

CONSIDERING:

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 enable the Organization to better implement Summit mandates;

That, by resolution AG/RES. 2059 (XXXIV-O/04), the General Assembly instructed the Secretary General "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," taking into account the Management Study requested under resolution AG/RES. 1909 (XXXII-O/02), and the corresponding recommendations and observations of the Permanent Council;

That on September 15, 2004, former Secretary General Miguel Angel Rodríguez issued Executive Order No. 04-01, which "deactivated and suspended" the then existing structure of the General Secretariat and implemented a new structure in its place;

That on January 25, 2005, then Acting Secretary General Luigi R. Einaudi issued Executive Order No. 05-03 corr. 1, which superseded Executive Order No. 04-01 and adjusted the new structure based on observations received from the member states and the affected dependencies of the General Secretariat;

That at its meetings of January 25, 2005, and February 2, 2005, the Permanent Council considered Executive Order No. 05-03 corr. 1, and that the observations of the member states are contained in the Permanent Council's minutes of those meetings (CP/ACTA 1462/05 and CP/ACTA 1465/05);

That Article 4 of the General Standards to Govern the Operations of the General Secretariat of the Organization of American States requires General Assembly approval for the creation and abolition of "secretariats or other dependencies with similar attributes," and Executive Orders No. 04-01 and No. 05-03 corr. 1 deactivated and suspended the Secretariat for Management and the Secretariat for Legal Affairs, pending their express abolition by the General Assembly in accordance with that article;

That Executive Order No. 05-03 corr. 1 created five new departments and reorganized the Executive Secretariat for Integral Development and the Executive Secretariat of the Inter-American Human Rights Commission as department-level dependencies of the General Secretariat;

That to establish a more permanent legal basis for the new structure of the General Secretariat implemented under Executive Order No. 05-03 corr. 1 and to assure consistency in the administrative norms governing the General Secretariat, the General Standards require modification; and

That the new Secretary General, pursuant to Article 113 of the OAS Charter, has the authority to make additional adjustments to the new structure of the General Secretariat which may require approval under Article 4 of the General Standards and which may necessitate additional modifications of the General Standards,

RESOLVES:

1. To amend Article 21 of the General Standards on trust positions as follows:
 - a. Subsection (iv) of section b, in ~~strikeout~~ below, is hereby deleted, and the following paragraphs of section b are renumbered accordingly.

~~iv. Unlike other positions of trust under this article, the appointment to the position of Executive Secretary for Integral Development (the Director General of the IACD) shall be for a term of four years, renewable once for a period of up to four years and terminable only for cause as provided under Article 12 of the IACD Statutes. Cause shall include insubordination, failure to observe the rules and regulations of the General Secretariat and of the IACD, failure to perform assigned functions to the satisfaction of the Management Board, and such other causes as are stated in the General Standards and the Staff Rules. Such termination shall not require the convocation of a disciplinary committee under Article 56 of the General Standards and the corresponding Staff Rules.~~

- b. Subsection (vi) of section b is hereby amended as indicated below. The text in ~~strikeout~~ has been deleted. The new text is in italics.

~~v. ~~iv~~~~ As a general rule, no person shall be appointed to a trust position below the *P-4* ~~P-5~~ level. Exceptions may be made for staff assigned to the Secretary General's office and household and the Office of the Assistant Secretary General. *The number of trust appointments funded by the Regular Fund should not exceed 8 percent of the posts financed by that Fund.*

2. To amend Article 40 of the General Standards by deleting the text of section g in ~~strikeout~~ below and renumbering the following sections of that article accordingly:

~~g. Upon consultation with the Management Board of the IACD and as provided under applicable budgetary provisions, the Secretary General shall establish the basic salary of the Executive Secretary for Integral Development (Director General of the~~

~~IACD). The basic salary so established shall be based on conditions applicable to comparable positions in other international organizations, but shall not be equal to or more than the basic salary of the Assistant Secretary General. It shall also incorporate the post adjustment factors for Washington, D.C., applicable to all staff members in the professional category.~~

3. To amend sections 1 and 2 of Article 12 of the Statute of the Inter-American Agency for Cooperation and Development, as indicated below. The text in ~~strikeout~~ has been deleted. The text in *italics* is the new text added. The numbers of the following sections of Article 12 are adjusted accordingly.

1. The Executive Secretary for Integral Development, appointed by the Secretary General in accordance with Articles 117 and 120 of the Charter, taking into account the recommendations of the Management Board, shall be designated Director General of the IACD *with a trust appointment under Article 21 of the General Standards to Govern the Operations of the General Secretariat*, and the position shall be referred to hereinafter as Director General.

~~2. The term of office of the Director General is four years and may be renewable once, upon consultation with the Management Board and upon CIDI's approval. Notwithstanding the four year term, the appointment shall be a position of trust under Articles 17.c and 20 of the General Standards; however, the Director General may be removed from office for cause either by a two-thirds vote of CEPCIDI or by the Secretary General in consultation with the Management Board.~~

4. To authorize the Permanent Council, up until December 31, 2005, to approve any modifications proposed by the incoming Secretary General in the General Secretariat's structure which would otherwise require the General Assembly's approval under Article 4 of the General Standards, together with the corresponding amendments that may be required in the General Standards, and to instruct the Permanent Council to report on those changes, if any, to the General Assembly at its thirty-sixth regular session. This paragraph shall not be construed as prejudicing the authority of the Permanent Council under Article 91.b of the Charter.

AG/RES. 2157 (XXXV-O/05)

PROGRAM-BUDGET OF THE ORGANIZATION FOR 2006;
QUOTAS AND CONTRIBUTIONS TO FEMCIDI FOR 2006

(Adopted at the fourth plenary session, held on June 7, 2005)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The proposed program-budget of the Organization for fiscal year 2006, presented by the Acting Secretary General on March 11, 2005 (AG/CP/doc.676/05);

The report of the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee on the proposed program-budget of the Organization for 2006 (AG/doc.4403/05); and

The Annual Report of the Board of External Auditors (OAS/Ser.S JAE/doc.35/05), presented to the Permanent Council on May 4, 2005;

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 2005 net basic salary scales, increased the post adjustment for the Washington, D.C., area, and may make further such adjustments in 2006, resulting in an increase in object 1 of the 2006 program-budget; and

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 2006 program-budget during the course of 2006 in order to ensure that the needs of the Organization are met;

BEARING IN MIND:

That on January 25, 2005, then Acting Secretary General Luigi R. Einaudi issued Executive Order No. 05-03 corr. 1, which superseded Executive Order No. 04-01 and adjusted the new structure based on observations received from the member states and the affected dependencies of the General Secretariat; and

That the recently elected Secretary General has the authority, pursuant to Article 113 of the Charter, to make additional adjustments to the new structure of the General Secretariat, which may require approval under Article 4 of the General Standards and which may necessitate additional amendments to the General Standards; and

TAKING NOTE:

That the quota scale for the OAS Regular Fund requires urgent revision, because, as stated in resolution AG/RES. 1746 (XXX-O/00), “since 1981, OAS quotas have ceased to be determined on the basis of objective criteria and, for most of this time, have been frozen, and that this has introduced distortions, and that, therefore, the current scale does not adequately reflect the member states’ ability to pay”;

That alternative sources of funding must be found to finance a \$1.3 million projected shortfall in the Regular Fund for the provision of essential building maintenance services, capital equipment replacement, and repairs at headquarters, as well as for other programmatic needs identified by the Secretary General and approved by the Permanent Council; and

That the Organization’s mandates have increased substantially as the result of decisions adopted through the Summits of the Americas process,

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, 2006, financed by the following funds at the corresponding levels:

	2006 (US\$1,000)
a. Regular Fund	76,275.5
b. Special Multilateral Fund of the Inter-American Council for Integral Development (FEMCIDI)	7,866.0
	<hr/> 84,141.5

2. To approve the specific levels of appropriations, by chapter, program, and subprogram, with the recommendations, instructions, or mandates as detailed below:

		2006 (US \$1,000)
1 –	EXECUTIVE OFFICE OF THE SECRETARY GENERAL	<u>3,249.3</u>
11A	Executive Office of the Secretary General	1,675.8
11B	Office of the Inspector General	979.4
11C	Summits of the Americas Secretariat	594.1
2 –	EXECUTIVE OFFICE OF THE ASSISTANT SECRETARY GENERAL	<u>11,353.4</u>
21A	Executive Office of the Assistant Secretary General	1,109.6
21B	Secretariat of the General Assembly, the Meeting of Consultation, the Permanent Council, and Subsidiary Organs	1,263.0
21C	General Assembly	157.9
21D	Office of Conferences and Meetings	5,877.8
21E	OAS conferences	260.9
21F	Office of the Inter-American Children's Institute	1,040.9
21G	Permanent Secretariat of the Inter-American Commission of Women (CIM)	794.1
21H	Columbus Memorial Library	808.5
21I	Official functions (SG/SGA/PC)	40.7
3 –	DEMOCRATIC AND POLITICAL AFFAIRS	<u>8,627.2</u>
31A	Executive Office of the Director, Department of Democratic and Political Affairs	1,217.5
31B	Office for the Promotion of Democracy	1,015.2
31C	Office for the Prevention and Resolution of Conflicts	547.5
31D	Coordinating Office of the Offices of the General Secretariat in the Member States (OGSMS) and Offices of the General Secretariat in the Member States	5,847.0

		2006 (US \$1,000)
4 –	EXECUTIVE SECRETARIAT FOR INTEGRAL DEVELOPMENT	<u>17,501.5</u>
41A	Executive Secretariat for Integral Development	1,401.1
41B	Meetings of the Inter-American Council for Integral Development, ministerial meetings, and inter-American committees	142.7
41C	Pan American Development Foundation	130.0
41D	Office of the Secretariat of the Inter-American Telecommunication Commission	514.2
41E	Office of Trade, Growth, and Competitiveness (OTGC) - Office of the Director	480.1
41F	OTGC - Foreign Trade Information System (SICE)	366.6
41G	Office of Trade, Growth, and Competitiveness	886.8
41H	Growth and Competitiveness Division	290.0
41I	Inter-American Ports Division	164.8
41J	Tourism and Small Enterprise Division	491.0
41K	Office of Sustainable Development and Environment	1,412.2
41L	Office of Education, Science, and Technology	2,073.4
41M	Division of Scholarships and Training	7,688.4
41N	Office of Scholarships, Training, and Information Technology for Human Resource Development – Office of the Director	157.5
41O	Division of Information Technology for Human Development	452.4
41P	Office of Development Policies and Programs	848.5
41Q	Leo S. Rowe Pan American Fund	1.8
5 –	MULTIDIMENSIONAL SECURITY	<u>3,868.4</u>
51A	Executive Office of the Director, Department of Multidimensional Security	174.3
51B	Inter-American Drug Abuse Control Commission (CICAD)	335.3

	2006 (US \$1,000)
51C Inter-American Defense Board and College	1,416.2
51D Secretariat of the Inter-American Committee against Terrorism (CICTE)	67.1
51E Executive Secretariat of the Inter-American Drug Abuse Control Commission (CICAD)	1,607.8
51F Office of International Threats	157.5
51G Office of Inter-American Humanitarian Mine Action	110.2
 6 – HUMAN RIGHTS ACTIVITIES	 <u>4,666.1</u>
61A Executive Secretariat of the Inter-American Commission on Human Rights (IACHR)	3,274.8
61B Inter-American Court of Human Rights	1,391.3
 7 – COMMUNICATIONS AND EXTERNAL RELATIONS	 <u>3,519.3</u>
71A Executive Office of the Director, Department of Communications and External Relations	338.4
71B Office of External Relations and Resource Mobilization	546.3
71C Art Museum of the Americas	435.6
71D Office of Protocol	444.6
71E Office of Public Information	1,754.4
 8 – LEGAL AFFAIRS AND SERVICES	 <u>3,515.2</u>
81A Executive Office of the Director, Department of Legal Affairs and Services	437.6
81B Office of Inter-American Law and Programs	735.0
81C Secretariat of the Inter-American Juridical Committee (CJI)	233.6
81D Office of General Legal Services	982.6
81E Secretariat of the Administrative Tribunal	139.1
81F Technical Secretariat for Treaty Follow-Up Mechanisms and Legal Cooperation	672.1
81G Administrative Tribunal sessions	45.6
81H Inter-American Juridical Committee (CJI)	269.6

	2006 (US \$1,000)
9 – ADMINISTRATION AND FINANCE	<u>19,975.1</u>
Department of Administration and Finance	
98A Executive Office of the Director, Department of Administration and Finance	398.4
98B Board of External Auditors	154.5
98C Office of Budgetary and Financial Services	3,206.8
98D Office of Human Resource Services	1,801.1
98E Office of Information Technology Services	2,335.9
98F Office of Procurement and Facilities Management Services	2,669.4
<i>Subtotal Department of Administration and Finance</i>	<u>10,566.1</u>
Common Services	
99G Equipment and supplies – computers	252.9
99H Office equipment and supplies	28.0
99I Building management and maintenance	4,670.8
99J General insurance	315.5
99K Post audits	18.3
99L Recruitment and transfers	50.7
99M Terminations and repatriations	402.6
99N Home leave	187.7
99O Education and language allowance, medical examinations	65.4
99P Pensions for retired executives and health and life insurance for retired employees	3,235.6
99Q Human resource development	30.4
99R Contribution to the Staff Association	4.2
99S OASES system	146.9
<i>Subtotal Common Services</i>	<u>9,409.0</u>

II. 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 2006 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 2006 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. As provided for in the Statutes of FEMCIDI, this contribution must represent up to 15 percent of the amount of programming approved in 2005 for execution in 2006.

III. GENERAL PROVISIONS

A. BUDGETARY

1. Human resources

a. Performance contracts (CPRs)

- i. To amend Article 130 of the General Standards, entitled "Budgetary and Financial Statements and Reports," to include a third paragraph, which follows in italics:

The Secretary General shall submit to the Permanent Council a semiannual report in January and June of each year on all the performance contracts (CPRs) funded by any source for the preceding semester. This report shall include for each CPR in force during the reporting period: (a) the source of funds used; (b) the name of the independent contractor, by legal persons (entities) first, followed by natural persons (individuals); (c) the duration of the contract, including beginning and ending date; (d) the contract amount; (e) the number of CPRs the independent contractor has had since January 2000; (f) the number of times the present contract has been renewed or extended; (g) the total duration, including renewals and extensions, of all the CPRs with the particular contractor since January 2000; (h) a detailed justification of the need for the contract; and (i) an explanation as to why the functions or work product assigned cannot be performed or produced by current staff member(s). This information should be organized by department or office of the General Secretariat, or other entity, as appropriate, and

applies to the Offices of the General Secretariat in the Member States and all operations away from headquarters.

This provision shall remain in force indefinitely until otherwise modified or derogated.

- ii. To request the Permanent Council to examine, through the Committee on Administrative and Budgetary Affairs, the Inspector General's report on CPRs and make the corresponding recommendations to the Secretary General.

b. Trust positions

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 changes to the General Standards.

c. Repatriation grant and termination indemnity:

- i. To amend the General Standards as follows:

- a. Delete subparagraphs (iii) and (iv) of Article 19.f on continuing contracts.
- b. Add a new Article 63 to the General Standards and adjust the numbers of the following articles accordingly. That new article (in italics) states:

Article 63. Adjustment of the Termination Indemnity and Repatriation Grant for Payments Already Received for Prior Service

- a. *The number of months of basic salary of any separation indemnity paid upon separation from service to a staff member under any contract of employment shall be deducted from any separation indemnity that the staff member may otherwise be entitled to receive under any future contract with the General Secretariat, so that the staff member may not receive a total number of months of basic salary as termination indemnity from the General Secretariat during his/her lifetime in excess of the maximum nine months payable under these General Standards and the Staff Rules.*
- b. *The amount of any repatriation grant paid upon separation from service to a staff member under any contract or appointment shall be deducted from any repatriation grant*

entitlement that the staff member may otherwise have under any future contracts with the General Secretariat, so that the staff member may not receive during his/her lifetime a total number of weeks of basic salary as repatriation grant in excess of the maximum payable under the Staff Rules in accordance with his/her dependency status.

This provision shall remain in force indefinitely until otherwise modified by the General Assembly.

- ii. To instruct the Secretary General to add the following language (in italics) to Staff Rule 110.8 (j) on the repatriation grant:

A former staff member shall substantiate his return by presenting documentary evidence of having established residence in a country to which he is entitled to be repatriated. That evidence shall include an affidavit by the immigration, police, tax, or other appropriate authorities of the country, by the senior OAS official in that country, or by the former staff member's new employer. Other evidence, in conjunction with an affidavit from an appropriate authority mentioned above, may be required, including, but not limited to, copies of leases and/or ownership of real estate in the home country and the sale of real estate in the former duty station. The fact that the former staff member has exercised his entitlement to repatriation travel and his entitlement to the removal of household goods or to the transportation of personal effects, as appropriate, can constitute supporting evidence of relocation, but it is not sufficient to itself. Such documentary evidence should be submitted to the Director of the Office of Human Resource Services.

- d. Geographic representation

To request the Secretary General to take into account, in selecting the personnel of the General Secretariat, the provisions of Article 120 of the Charter, in particular, the criterion of the widest possible geographic distribution.

- e. Performance evaluation

To request the Secretary General, for the purpose of improving supervision, evaluation, and accountability in the management of the General Secretariat, to apply and enforce on a consistent basis the provisions of the Staff Rules on performance evaluations.

2. Secretary General reorganization prerogative

To authorize the Permanent Council, up until December 31, 2005, to approve any modifications proposed by the incoming Secretary General in the General Secretariat's structure which would otherwise require the General Assembly's approval under Article 4 of the General Standards, together with the corresponding amendments that may be required in the General Standards, and to instruct the Permanent Council to report on those changes, if any, to the General Assembly at its thirty-sixth regular session. This paragraph shall not be construed as prejudicing the authority of the Permanent Council under Article 91.b of the Charter.

3. Scale of quota assessments

To instruct the Permanent Council:

- a. To finalize, with the assistance of the General Secretariat, a draft proposal for a revised scale of Regular Fund quota assessments for 2007, based on Article 55 of the Charter and taking note of the most recent scale of assessments approved by the United Nations, as well as the proposals prepared by the General Secretariat for this purpose.
- b. To convene a special session of the OAS General Assembly for no later than January 31, 2006, for the purpose of:
 - i. Considering the proposal for a revised scale, which, in accordance with Article 55 of the Charter, takes into account "the ability to pay of the respective countries and their determination to contribute in an equitable manner";
 - ii. Establishing the ceiling of the 2007 budget; and
 - iii. Considering any other matter that might improve the financial situation of the Organization.

4. Fund for Building Improvement, Maintenance Services, and Other Urgent Needs

- a. To instruct the Secretary General to establish a special fund for the deposit of voluntary contributions to finance urgent capital improvements for the OAS buildings, repairs, and other building maintenance expenses which could not be financed under the current program-budget due to the \$76,275,500 cap on that budget;
- b. To urge member states, permanent observers, and other donors to contribute to this voluntary fund, which shall be called the "Fund for Building Improvement, Maintenance Services, and Other Urgent Needs";
- c. To authorize the Secretary General to finance from this special fund the urgently needed building capital improvements, repairs, and other maintenance expenses in an amount of up to the total amount contributed to

that fund or \$1.3 million, whichever is less. Any balance in this fund not needed for building capital improvements, repairs, and maintenance may be allocated by the Permanent Council to other activities; and

- d. To instruct the Secretary General to report quarterly to the Permanent Council on the income and expenditures of this special fund.

5. Offices of the General Secretariat in the Member States

- a. To request the Secretary General to ensure that each of the Offices of the General Secretariat in the Member States is appropriately staffed and funded and to report to the Permanent Council on both progress and limitations in achieving this objective.
- b. To request the General Secretariat to submit to the Permanent Council by December 1 of each year a report containing a strategy and annual work plan for each Office. The report should comply with uniform guidelines established by the Secretary General, and should report on progress made in achieving the preceding year's objectives. In addition, it should lay out the objectives for the coming year. Where appropriate, the report should address any in-country partnership opportunities that may enhance OAS objectives.
- c. To request the General Secretariat to present its observations on the functioning of the Offices of the General Secretariat in the Member States by May 2006, taking into account the following:
 - i. Document CP/doc.3532/01 (Report on the Study of the Offices of the General Secretariat of the OAS in the Member States);
 - ii. The Deloitte & Touche Management Study;
 - iii. Reports of the Inspector General related to specific Offices;
 - iv. The work plans noted in paragraph b above; and
 - v. Observations on those Offices received by the General Secretariat from member states.

6. 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 the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI) and shall report quarterly to CEPCIDI and to the Permanent Council.

7. Payment of quotas

- a. 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”;
- b. To instruct the Permanent Council to evaluate the existing measures and to consider new measures aimed at encouraging the timely payment of quotas and to report thereon to the General Assembly at its thirty-sixth regular session; and
- c. To amend the definitions in part A of Annex A of resolution AG/RES. 1757 (XXX-O/00), so as to eliminate the term “Current” and replace it with two new payment categories, “Current A” and “Current B,” as further indicated in the text in italics below:

1. *“Current A”: For purposes of this resolution, a member state that has paid all its Regular Fund quota assessments for all prior years shall be in “Current A” status for the current year if:*

- a. *It has paid its entire Regular Fund quota assessment for the entire current year; or*
- b. *It has agreed to a written payment plan with the General Secretariat for the payment of its entire Regular Fund quota assessment for the current year by January 1 of that year and is in compliance with that plan.*

Notwithstanding subsections a and b above, a member state that has paid all its Regular Fund assessed quotas for prior years and has indicated its intent in writing to the General Secretariat prior to January 1 of the current year to pay its entire Regular Fund quota assessment for the current year by March 31 of the current year shall also be in “Current A” status through to March 31 of that year. If it does not pay its entire assessed Regular Fund quota by that date, it will lose its Current A status on the following April 1 and shall not regain it for that year until it pays its entire quota obligation in full.

2. *“Current B:” For purposes of this resolution, a member state that has paid all its assessed quotas to the Regular Fund for prior years, has agreed to a written payment plan with the General Secretariat for the payment of its entire Regular Fund quota assessment for the current year by January 1, and is not in compliance with that plan shall be considered in “Current B” status, provided it:*

- a. *Has agreed with the Secretariat to a new written payment plan for the current year; and*

b. *Is in compliance with that new payment plan.*

Nonetheless, a member state may not remain in Current B status if it has defaulted on two consecutive agreed-upon payment plans in the current year.

Former sections 2 to 4 of part A are renumbered as sections 3 to 5 respectively, and their text remains the same, except that in the newly renumbered section 4 and wherever else it appears in the resolution, the term “Current” in quotation marks is replaced by the phrase “Current A or Current B,” in quotation marks.

These amendments to the definitions given in part A of Annex A of resolution AG/RES. 1757 (XXX-O/00) shall remain in force indefinitely until modified by the General Assembly.

8. OAS conferences – Subprogram 21 E (formerly 10W)

To instruct the General Secretariat to present to the Permanent Council, before October 31, 2005, an informative list of conferences and meetings for the year 2006, in accordance with the procedures outlined in document CP/CAAP-2597/02 rev. 2 corr. 1, entitled “Proposal Subprogram 10W OAS Conferences, Approved 2002 Program-Budget.”

9. 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:
 - i. To review whether the method of charging overhead is consistent and reasonable throughout the Secretariat in relation to the services

provided, taking into consideration the interest generated by specific funds; and

- ii. To determine if there is a more cost-effective manner of establishing costs charged to specific fund projects.

10. Direct reports from OAS Regular Fund recipients

To instruct the General Secretariat to facilitate access to the Committee on Administrative and Budgetary Affairs (CAAP), on an agreed upon schedule, for all dependencies of the General Secretariat, including those below the departmental level, so that the CAAP can receive from the dependencies regular reports on their programs, activities, and financial concerns.

11. Fundraising

- a. To instruct the General Secretariat to provide a detailed report to the Permanent Council by October 31, 2005, on the amounts obtained by each dependency of the General Secretariat and by all the 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, 2005, and should include the following information:

- i. A list of all dependencies and entities involved in fundraising efforts, including any foundations raising funds on behalf of the OAS and its programs;
- ii. Amounts raised, both cash and in-kind;
- iii. Sources of the funds raised; and
- iv. 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; and

- b. To recommend to the Secretary General that he centralize in the Executive Secretariat for Integral Development the coordination of the General Secretariat's fundraising activities, in accordance with paragraph 12 of Article 11 and paragraph 8 of Article 13 of the Statutes of the Inter-American Agency for Cooperation and Development.

12. Foundations

- a. To instruct the General Secretariat 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, 2005, 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 for 2003 and 2004 filed with the competent fiscal authorities of the country in which the foundation or NGO is registered;
 - 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;
- 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-fifth 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; and
 - c. To request the General Secretariat to review current procedures for the effectiveness of its participation in the creation and support of foundations, NGOs, and other such entities, and to make appropriate amendments, if necessary, to carry out oversight processes of the General Secretariat activities with those foundations, particularly when they are raising funds using the name of the OAS, and to present a report to the Permanent Council before the thirty-sixth regular session of the General Assembly.

13. 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 the CAAP by September 2005, on those cooperative agreements entered into by the General Secretariat since January 1, 1995, (including memoranda of understanding and exchanges of letters for cooperative relations) that are currently in force and recorded in the database maintained by the Office of Inter-American Law and Programs of the Department of Legal Affairs and

Services. For each agreement, the report should summarize the ongoing financial and other binding obligations undertaken by the General Secretariat which still require the assignment of measurable resources, including staff support services, financed by the Regular Fund.

14. Looking towards a long-term solution

To instruct the General Secretariat to take the following steps towards the implementation of cost-saving measures that would contribute towards a long-term solution to the persistent OAS financial difficulties:

- a. To urge member states to make a hemispheric commitment at the highest level to increase the OAS Regular Fund budget in 2007, for the purpose of enabling the OAS to perform more effectively and meaningfully the mandates assigned to it through the General Assembly and the Summits of the Americas process and to sustain that budget in future years at the appropriate level for that purpose;
- b. To identify the most cost-effective measures of providing interpretation and translation services for OAS conferences and meetings;
- c. To analyze the long-term (i.e., 3-5 years) staffing requirements of the Secretariat in view of the programmatic vision of current mandates, the new structure of the General Secretariat, and projected retirement and other departures of current staff, and develop a workforce plan that will allow the Secretariat to identify:
 - i. Skills gaps and surpluses;
 - ii. The most appropriate recruitment/hiring instruments to meet projected needs (long-term versus short-term contracting, CPRs, etc.); and
 - iii. Suggested mechanisms for responding to staffing surpluses in areas that will no longer fit into the Organization's programmatic priorities and vision;
- d. To consider the feasibility of engaging the Offices of the General Secretariat in the Member States in identifying external resources and opportunities for managing programs of other international organizations or permanent observers as a means of deriving management fees or other income-generating opportunities;
- e. To implement more effective enforcement mechanisms for assuring compliance with the current rule established by the Permanent Council which requires all persons traveling on tickets paid for by the Regular Fund, FEMICIDI, specific funds, and trust funds administered by the General Secretariat, to fly in tourist or economy class, except for the Secretary General, the Assistant Secretary General, and the Chair of the Permanent

Council; and to report to the Permanent Council on a quarterly basis on any instances of noncompliance with those rules;

- f. To design and implement measures to cut back travel costs of all persons whose travel expenses are paid for by the Regular Fund, FEMCIDI, specific funds, and trust funds administered by the General Secretariat; and
- g. To entrust the Secretary General with conducting a thorough review of the operations of the Inter-American Children's Institute with a view to reorienting its activities to benefit all member states and implement savings on administrative expenses.

The General Secretariat shall provide the CAAP with the conclusions of the studies requested above by March 31, 2006, so as to inform the CAAP before negotiations on the 2007 program-budget resolution.

15. Results-based budget

In view of the recommendations made by the firm Deloitte & Touche in the Management Study it presented to the Permanent Council on November 19, 2003, with regard to improving the business processes of the General Secretariat, and in view of the new structure of the General Secretariat, to request the General Secretariat to submit to the Permanent Council by October 2006 a plan for implementing results-based budgeting methodologies to allow the Organization to allocate its resources more effectively, and report on their use, according to desired outcomes, mandates, and strategic objectives, as well as focus on measurable results and performance; and to recognize the progress made towards this goal through the recent reorganization.

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 2007

- a. To instruct the General Secretariat to submit to the Preparatory Committee a proposed program-budget for the year 2007 at the level for which the Secretary General can demonstrate available financing, unless it receives special instructions from the special session of the General Assembly to be convened by the Permanent Council no later than January 2006, in accordance with section A.3.b above of these General Provisions. 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 all other miscellaneous income.
- b. The total expenditure for object 1 should not exceed 64.38 percent of the indicative figure for the 2007 Regular Fund program-budget, plus any statutory increases that may be required, should the total budget remain the same as in 2006. However, should there be an increase in the Regular Fund budget, then the new level shall be reviewed by the CAAP, and adjusted to an appropriate level.
- c. To reiterate that all resolutions submitted to the General Assembly that require Regular Fund financing must be accompanied by an opinion, on the availability of funds, from the CAAP or from the Subcommittee on Administrative and Budgetary Matters of the Preparatory Committee of the General Assembly. Resolutions presented after the Preparatory Committee has completed its work may be adopted, but may not be executed, until the requisite opinion from the CAAP and reconfirmation by the Permanent Council are received.

Table A.1
PROGRAM-BUDGET OF THE ORGANIZATION FOR 2006;
APPROVED EXPENDITURES BY CHAPTER FOR 2006
(US\$1,000)

	<u>BUDGETARY APPROPRIATIONS</u>	<u>TOTAL</u>	<u>REGULAR FUND</u>	<u>FEMCIDI</u>
1.	EXECUTIVE OFFICE OF THE SECRETARY GENERAL	3,249.3	3,249.3	
2.	EXECUTIVE OFFICE OF THE ASSISTANT SECRETARY GENERAL	11,353.4	11,353.4	
3.	DEMOCRATIC AND POLITICAL AFFAIRS	8,627.2	8,627.2	
4.	EXECUTIVE SECRETARIAT FOR INTEGRAL DEVELOPMENT	25,367.5	17,501.5	7,866.0
5.	MULTIDIMENSIONAL SECURITY	3,868.4	3,868.4	
6.	HUMAN RIGHTS ACTIVITIES	4,666.1	4,666.1	
7.	COMMUNICATIONS AND EXTERNAL RELATIONS	3,519.3	3,519.3	
8.	LEGAL AFFAIRS AND SERVICES	3,515.2	3,515.2	
9.	ADMINISTRATION AND FINANCE	19,975.1	19,975.1	
	Department of Administration and Finance	\$10,566.1		
	Common services	\$ 9,409.0		
	TOTAL APPROPRIATIONS	<u>84,141.5</u>	<u>76,275.5</u>	<u>7,866.0</u>

Table A.2
PROGRAM-BUDGET OF THE ORGANIZATION FOR 2006,
FINANCING THE BUDGET OF THE ORGANIZATION FOR THE YEAR 2006
(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		1,180.0	(1,180.0)
c.	Other income	1,368.4	1,368.4	
2.	<u>FEMCIDI</u>			
a.	Pledges received			
b.	Pledges pending	<u>7,866.0</u>	_____	<u>7,866.0</u>
	TOTAL	<u>82,961.5</u>	<u>76,275.5</u>	<u>6,686.0</u>

<http://scm.oas.org/pdfs/2005/AG02863E.xls>

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.

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