

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

REMJA IX

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CONCLUSIONS AND RECOMMENDATIONS OF REMJA IX*

* This “Conclusions and Recommendations” were approved by consensus during the plenary session held on November 29, 2012, in the framework of the Ninth Meeting of Ministers of Justice or other Ministers or Attorneys General of the Americas (REMJA-IX) held in Quito, Ecuador.

CONCLUSIONS AND RECOMMENDATIONS OF REMJA IX

The Ninth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA IX) took place in Quito, Ecuador, on November 28 and 29, 2012, in accordance with the “Document of Washington” and Resolution AG/RES. 2734 (XLII-O/12) that was adopted at the Forty Second Regular Session of the General Assembly.

REMJA IX underscores the consolidation of the REMJA process as the political and technical forum for hemispheric cooperation in the areas of justice and legal cooperation, together with the proven usefulness and effectiveness of the institutions and cooperation processes created or developed under the REMJA umbrella for consolidating the rule of law in the Americas.

In this respect, REMJA IX highlights the importance of the fact that, on this occasion, the dialogue among the heads of delegation focused on access to justice and international legal cooperation in the Americas, which enabled the sharing of valuable information on the progress carried out by both individual states and at the regional level as well as encouraged exchanges on the challenges that still must be met in consolidating hemispheric cooperation in those areas.

Bearing in mind the content and scope of the dialogue among the heads of delegation and the information received on developments between the previous and present REMJA, at the conclusion of its discussions REMJA IX adopted by consensus the following conclusions and recommendations, which will be conveyed to the OAS General Assembly at its forty-third regular session:

I. ACCESS TO JUSTICE IN THE AMERICAS

REMJA IX reaffirms the importance of access to justice for the effective fulfillment of rights conferred on people, and in enabling them to access and benefit from the necessary guarantees for the observance of those rights as well as removing obstacles to the effective exercise of the fundamental rights of persons.

Moreover, REMJA IX considers that access to justice must cover all sectors of society, understanding it to be one of the pillars for ensuring social justice, and entailing access not only to the judicial system but also to alternative mechanisms for conflict resolution, such as mediation, conciliation, and arbitration.

Taking into account the foregoing, REMJA IX recommends:

1. Given the nature and functions of the REMJA, that it continue, within its scope of competence, to facilitate cooperation among the authorities responsible for determining public policy in access to justice and to promote its implementation in judicial and extrajudicial arenas.

2. Continue with the progress made on access to justice within the agencies, organs, entities, and mechanisms of the Inter-American System and of other international organizations and cooperation processes, together with the progress made by civil society organizations, private sector bodies, academics, and professional associations active on the topic.

3. Support and encourage the work that the Justice Studies Center of the Americas (JSCA), an institution created in the REMJA area, has been undertaking to expand access to justice in the region, aware of the need to address reforms in civil matters, incorporating therein standards similar to those used in criminal reforms, such as public, oral, adversarial hearings and strategies

related to the installation of mediation systems, the creation of neighborhood justice centers, the creation of justice of the peace courts, and other similar measures. In this regard, REMJA IX supports the JSCA's regional efforts to create and publicize new mechanisms and strategies to expand access to justice in other areas as well as that of the criminal.

4. Promote the exchange of best practices on access to justice, seeking to exchange experiences among States to implement public policies that ensure access to justice by persons, understanding that it is a concept whose implications are not limited to legal aspects, but that access to justice is fundamental to the protection of human rights recognized by international treaties.

5. The OAS General Secretariat shall continue with the Inter-American Facilitators Program, in support of the judicial agencies and other justice administration authorities in the OAS member states, to establish National Judicial Facilitators Services and to train justice operators.

6. The OAS General Secretariat, through its web site dedicated to the REMJA process, shall facilitate access to information on developments with access to justice, as well as links to institutions in the OAS member states with responsibilities in the area.

7. Convene a technical meeting with the support of the OAS General Secretariat's Department of Legal Cooperation (hereinafter REMJA Technical Secretariat), the purpose being to offer recommendations on specific measures to strengthen hemispheric cooperation, improve the quality of public policies on access to justice, and to facilitate the exchange of information and practical experiences in this field, which, among others, will be taken into account:

a. Treaties and instruments that address access to justice, such as the Universal Declaration of Human Rights, the American Convention on Human Rights, and the American Declaration of the Rights and Duties of Man, and developments with those documents.

b. Resolutions on the topic adopted within the inter-American system, such as those contained in "Guarantees for Access to Justice: The Role of Official Public Defenders" (AG/RES.2656 XLI-O/11), "Official Public Defenders as a Guarantee of Access to Justice for Persons in Situations of Vulnerability" (AG/RES.2714 XLII-O/12); and "Guide to Principles of Access to Justice in the Americas and Report of the Inter-American Juridical Committee – Access to Justice in the Americas" (CJI/RES.187 LXXX-O/12).

c. The actions related to the accessibility of justice undertaken by the JSCA as a part of its programs supporting justice reforms in OAS member states, and the information on the topic contained in its reports on justice in the Americas.

d. The actions taken by the OAS member states in order to improve access to justice, geared at, *inter alia*, the following:

i. Facilitating access to justice to the general population, through measures such as the simplification of requirements for accessing the judicial system, the promotion of alternative conflict resolution mechanisms, such as mediation, conciliation, and arbitration, and the establishment of public defense offices, justices of the peace, mobile courts, binding conciliation, neighborhood judicial centers, judicial facilitators, etc.

ii. Facilitating access to justice to persons and population segments who are most vulnerable for reasons of geography, economics, social status, age, gender, physical or mental state, ethnic, immigration status, and linguistic considerations, or any other reason.

iii. Encouraging universities and professional associations to contribute to the provision of free legal assistance services to facilitate access to justice to the most underprivileged sectors of the population.

iv. Encouraging the involvement of private-sector bodies, such as chambers of commerce and professional associations, in resolving conflicts through extrajudicial channels.

v. Developing legal education programs to inform the population about their guarantees for securing access to justice, and to ensure that the authorities responsible for administering justice are aware of the best practices for ensuring access to it by the population in general and, most particularly, by the most vulnerable individuals and groups.

e. When appropriate, the documents on the topic adopted by other cooperation mechanisms and international agencies, such as the “Brasilia Regulations Regarding Access to Justice for Vulnerable People,” the “Santiago Guidelines on Victim and Witness Protection,” the “Ibero-American Program for Access to Justice,” the “Handbook of Public Policies for Access to Justice – Latin America and the Caribbean”; as well as the Declarations of the Meetings of Ministers of Justice of the MERCOSUR and Associated States on Strengthening Access to Justice as a Tool Contributing to the Elimination of Social Inequalities, held in Buenos Aires, Argentina, and Fortaleza, Brazil, in June and November 2012, respectively.

f. When appropriate, the treaties and other bilateral, regional, and multilateral instruments and processes that promote access to justice at the international level.

g. When relevant, the documents prepared by civil society organizations and other social actors working in this area.

8. The results of this technical meeting as carried out pursuant to the foregoing paragraphs shall be reported at REMJA X.

II. INTERNATIONAL LEGAL COOPERATION IN THE AMERICAS

REMJA IX reaffirms that international legal cooperation is essential for the development of justice systems and the consolidation of the rule of law in the region, and that it demands continued promotion of the effective enforcement of the valuable Inter-American legal heritage contained in the various treaties developed under the aegis of the OAS.

Moreover, REMJA IX highlights the usefulness and effectiveness in attaining this goal of, *inter alia*, the various practical cooperation mechanisms developed under the REMJA umbrella through meetings, networks, and other methods for exchanging information, experiences, training, and technical cooperation; of other numerous agreements set down in the recommendations of the REMJA process and its working groups and technical meetings and of the procedures created for

following up on their implementation; and of strengthening cooperation with other regional, subregional, and international organizations and agencies on the various topics dealt with by the REMJA process and its working groups and technical meetings.

In order to continue strengthening international legal cooperation in the Americas, recommends:

1. The OAS member states that have not yet done so consider signing and ratifying or acceding to, as appropriate, as soon as possible:

- a. The Inter-American Convention on Mutual Assistance in Criminal Matters and its Optional Protocol;
- b. The Inter-American Convention on the Serving of Criminal Sentences Abroad;
- c. The Inter-American Convention on the Execution of Preventive Measures;
- d. The Inter-American Convention on Proof of and Information on Foreign Law; and
- e. The Inter-American Convention on the Taking of Evidence Abroad and its Additional Protocol.

2. The OAS member states that have not yet done so consider adopting the laws and other measures required to facilitate and ensure the implementation of the aforementioned conventions and to provide the cooperation provided for therein effectively, efficiently, and expeditiously.

3. The OAS member states shall continue to give due consideration to proposals related to the development of legal instruments that complement those that already exist, in order to strengthen international legal cooperation, bearing in mind the recommendations made by the REMJA working groups and technical meetings.

4. The OAS member states that have not yet done so shall take the necessary measures to establish and ensure the operations of the central authorities for reciprocal cooperation in mutual assistance in criminal, civil, procedural, and commercial matters, as well as in family and children's law, and to ensure that they have the human, material, and financial resources needed to perform their functions effectively, efficiently, and expeditiously.

5. The OAS member states that have not yet done so shall take the necessary measures to facilitate, under their constitutional systems, channels of direct communication and permanent contacts among the central authorities responsible for reciprocal cooperation in mutual assistance in criminal, civil, procedural, and commercial matters, as well as in family and children's law, and to expedite proceedings and reduce or eliminate factors that contribute to delays in the transmission and execution of cooperation requests.

6. The OAS member states shall, in accordance with the principles of their domestic laws, promote the use of new information and communications technologies, such as videoconferencing, in a safe and responsible fashion, to increase the effectiveness, efficiency, and expeditiousness of international legal cooperation in the Americas.

7. Efforts shall be made for the continued promotion, support, and development of training programs for government authorities and experts, such as those already developed for the prevention, investigation, and prosecution of cybercrime, and for the Criminal Matters Network, to facilitate international legal cooperation in the corresponding areas.

8. Efforts shall be made for the continued strengthening of exchanges of information and cooperation between REMJA and other subregional, regional and international organizations, forums, mechanisms, or agencies, in the area of mutual assistance in criminal, civil, procedural, and commercial matters, as well as in family and children's law.

9. The OAS General Secretariat shall continue to support the member states in the creation and improvement of specific products for strengthening international legal cooperation on criminal, civil, procedural, and commercial matters, as well as on family and children's law, such as agreements and model laws, good practice guides, databases, and internet sites with legal information.

III. LEGAL COOPERATION ON CRIMINAL MATTERS

1. Express its satisfaction at the holding of the Fifth Meeting of the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition (Working Group on Legal Cooperation on Criminal Matters; hereinafter in this section, "REMJA Working Group"), which took place in Asunción, Paraguay, on May 30 and 31, 2012, as provided for in the "Document of Washington," the Conclusions and Recommendations of REMJA VIII, OAS General Assembly resolutions AG/RES. 2581 (XL-O/10) and AG/RES. 2657 (XLI-O/11), and OAS Permanent Council resolution CP/RES. 997 (1832/11).

2. Approve the recommendations adopted at the Fifth Meeting of the REMJA Working Group, (PENAL/doc.34/12 rev. 1), and, in connection therewith, request that the Chair report to REMJA X on the progress made with them.

3. To instruct the REMJA Working Group, in consideration of the recommendations formulated at its Fifth Meeting, with the support of the REMJA Technical Secretariat, to:

a. Continue making progress through the informal working group led by the delegation of El Salvador and also involving the delegations of Brazil, Bolivia, Paraguay, and Uruguay and with those States that find it necessary to do so on the preparation of the draft "Protocol to the Inter-American Convention on Mutual Assistance in Criminal Matters Relative to the Use of New Communication Technologies and Hearings by Videoconference," to be considered at the Sixth Meeting.

b. Continue with its consideration of a streamlined and expeditious inter-American legal instrument for extradition matters, including the progress and new developments made at the bilateral and subregional levels, based on the proposal that the working group led by the delegation of Argentina and also involving the delegations of Brazil, Chile, Guatemala, Jamaica, Panama, Paraguay, and Uruguay is to draw up for consideration at the Sixth Meeting.

c. Continue promoting, at its meetings, exchanges of information regarding ongoing subregional developments with arrest warrants, detention orders, and simplified extradition proceedings, taking into account, as appropriate, those and other related

international developments such as the Central American Treaty on Arrest Warrants and Simplified Extradition Procedures of the Central American Integration System (SICA), the CARICOM Arrest Warrant Treaty, the MERCOSUR Arrest Warrant (MMC), and the European Arrest Warrant (EAW).

d. Continue making progress with the consideration and adoption of a document with legal guidelines, to serve as a model for those states that so require, for agreeing on the establishment of joint investigation teams, based on the proposal that the working group led by the delegation of Chile and also involving the delegations of Brazil, Guatemala, Jamaica, Peru, Suriname, and Uruguay is to prepare and present at the Sixth Meeting, taking into account, as appropriate, the Framework Cooperation Agreement between the Member States of the MERCOSUR and its Associated States for the Establishment of Joint Investigation Teams.

e. Continue considering the topic of mutual assistance with respect to the identification, freezing and confiscation of assets that are proceeds or instrumentalities of crimes, and formulate recommendations considered pertinent to continue improving and strengthening cooperation in this area among the OAS member states.

4. That the member states consider promoting the effective use of the guides on “Best practices with respect to the gathering of statements, documents and physical evidence,” “Best practices with respect to mutual legal assistance in relation to the tracing, restraint (freezing), and forfeiture (confiscation) of assets which are the proceeds or instrumentalities of crime,” and “Forms on mutual legal assistance in criminal matters” (PENAL/doc.19/07 rev. 1), as well as the “Model Law on Mutual Assistance in Criminal Matters” (PENAL/doc.20/07 rev. 1), and strengthen the publication and dissemination thereof among their national authorities and other international organizations, ensuring that they are aware of them and can access them when necessary.

5. Continue facilitating and promoting legal cooperation and exchanges of information and experiences on assistance and protection for victims and witnesses under the aegis of the meetings of the REMJA Working Group.

6. Continue consolidating and strengthening coordination, exchanges of information, and cooperation between the REMJA Working Group and the OAS’s agencies, organs, entities, and mechanisms in their areas of common interest, and avoid any duplication of efforts in those areas.

7. The REMJA Working Group shall convene prior to the next REMJA in order to consider, *inter alia*, the progress made with the implementation of the Fifth Meeting’s recommendations, and it shall report to REMJA X on the results obtained therewith.

8. Continue promoting, supporting and developing training programs in areas related to legal cooperation on criminal matters, encouraging workshops and facilitating the participation of competent authorities and experts, highlighting the importance of training in this area.

9. Continue strengthening the exchange of information and collaboration among other international organizations or agencies in legal cooperation on criminal matters, promoting coordinated work that result in synergies that improve said cooperation.

IV. HEMISPHERIC NETWORK FOR LEGAL COOPERATION ON CRIMINAL MATTERS (“CRIMINAL MATTERS NETWORK”)

1. Recognize the progress made by the OAS General Secretariat, through the REMJA Secretariat and the Department of Information and Technology Services, and its continuous efforts in maintaining, expanding, and securing funding for the Criminal Matters Network, including, *inter alia*, the signing of memoranda of understanding with more than 40 institutions from 31 OAS member states and the participation of more than 120 officials in the Secure Electronic Communication System and the training of new users in the use of this system at the workshop held in Asunción, Paraguay, on May 29, 2012.

2. Express its satisfaction at the development of the pilot phase of the tool for the use of secure videoconferencing, with the participation of the delegations of Argentina, Brazil, Colombia, Chile, Paraguay, and Peru, and support its use as an optional component of the Criminal Matters Network that is useful, effective, efficient, and secure for exchanges of information between the authorities responsible for international legal cooperation on criminal matters.

3. Accept the OAS General Secretariat’s offer, through the REMJA Secretariat and the Department of Information and Technology Services, to continue providing technical maintenance, support, and assistance services for the Criminal Matters Network and to progress, within the constraints of the available resources, with the development of the first phase of modernizing its public and private components and with updating the software of its Secure Electronic Communication System.

4. Ask the member states, bearing in mind the usefulness and benefits offered by the Criminal Matters Network, to consider making voluntary contributions for the second phase of the modernization of its public and private components and for the updating of the Secure Electronic Communication System.

5. Reiterate the usefulness of the “Legal Cooperation Bulletin,” and ask the REMJA Technical Secretariat to ensure that its publication continues.

6. Endorse the recommendation of the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition (Working Group on Legal Cooperation on Criminal Matters) to expand the scope of the Criminal Matters Network to cover all topics related to legal cooperation on criminal matters assigned to the Group by the REMJA process and, accordingly, to rename it the “Hemispheric Network for Legal Cooperation on Criminal Matters.”

7. Invite the OAS member states and the permanent observers to make voluntary contributions to provide the Criminal Matters Network with the long-term, permanent resources necessary for its updating, maintenance, and expansion.

V. LEGAL COOPERATION ON CYBERCRIME

1. Express its satisfaction with the results of the Seventh Meeting of the REMJA Working Group on Cybercrime, held at OAS headquarters on February 6 and 7, 2012, according to the terms of the “Document of Washington,” the Conclusions and Recommendations of REMJA VIII, OAS General Assembly resolution AG/RES. 2657 (XLI-O/11), and OAS Permanent Council resolution CP/RES. 993 (1827/11).

2. Adopt the recommendations made by the REMJA Working Group on Cybercrime at its Seventh Meeting (CIBER-VII/doc.6/12 rev. 1) and request that, through its Chair, it report to REMJA X on the progress made with them.

3. Continue to consolidate and update the Inter-American Cooperation Portal on Cybercrime (hereinafter, “the Portal”) via the OAS Web page and, in this connection:

a. Ask the REMJA Technical Secretariat, in coordination with the REMJA Working Group on Cybercrime, to continue completing and updating the information on the Portal’s public and private components.

b. Ask the REMJA Technical Secretariat, within the constraints of its available resources, to continue making progress with the development of new restricted-access online forums for exchanges of information, experiences, and good practices among governmental experts on cybercrime and on international legal cooperation for investigating and prosecuting such offenses.

c. Ask the states to respond to the requests sent by the REMJA Technical Secretariat for them to complete or update the information published on the Portal.

d. Give due consideration to the use of other technological tools in order to facilitate the exchange of information between governmental experts on cybercrime and in the area of international legal cooperation for investigations and prosecutions.

e. Continue establishing reciprocal links between the Portal and the web pages already set up or to be set up in the future by the states’ units or agencies responsible for investigating and prosecuting cybercrime, and ensure that they publish the manuals and any other information deemed useful for facilitating cooperation on the topics that they cover.

4. Recognize the results of the 12th United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, on April 12 to 19, 2010, in particular the “Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,” and the results of the First Meeting of the Open-ended Intergovernmental Expert Group to Conduct a Comprehensive Study of the Problem of Cybercrime, held in Vienna, Austria, on January 17 to 21, 2011, convened by the United Nations Commission on Crime Prevention and Criminal Justice, taking into account paragraph 42 of the aforesaid “Salvador Declaration,” and, in this regard, call on the member states to continue participating in the activities of that Intergovernmental Expert Group in order to comply with the mandate related to that study.

5. Recognize the consideration given by some member states to applying the principles of the Council of Europe’s Convention on Cybercrime, and recommend that those states that have not yet done so assess the usefulness of applying the principles of that Convention and consider the possibility of adhering thereto, and of adopting the legal and other measures necessary for their enforcement, bearing in mind the recommendations adopted by the REMJA Working Group on

Cybercrime and by REMJA at their most recent meetings. Similarly, to this end, technical cooperation activities shall continue to be carried out.^{1/}

6. Continue to strengthen mechanisms for information exchange and cooperation with other international organizations and agencies in the area of cybercrime, such as the United Nations, the Council of Europe, the European Union, Asia-Pacific Economic Cooperation (APEC), the Organization for Economic Co-operation and Development (OECD), the G-8, the Commonwealth, and INTERPOL, to enable OAS member states to benefit from developments in those areas.

7. Continue to promote further ties between the authorities responsible for the prevention, investigation, and prosecution of cybercrime and the private sector, particularly with companies that provide information and communications technology services, especially internet services, as part of the efforts to facilitate and consolidate cooperation to prevent, investigate, and punish such crimes.

8. Express its satisfaction with the results obtained at the training workshops for prosecutors, investigators, and judges to improve and strengthen international cooperation in the investigation and prosecution of cybercrime, particularly as regards technologies that enable criminals to use the internet globally, and in new investigation techniques based on forensic informatics and technical and legal issues related to the compilation and maintenance of electronic evidence, which were organized under the leadership of the United States as the Chair of the REMJA Working Group on Cybercrime and with the financial support of that country, the support of the states where they were held, and the cooperation of the REMJA Technical Secretariat, in Saint John's, Antigua and Barbuda; Bogotá, Colombia; Miami, United States; Guatemala City, Guatemala; Mexico City, Mexico; Lima, Peru; and Montevideo, Uruguay.

9. The REMJA Working Group on Cybercrime shall meet prior to REMJA X, in order to consider, *inter alia*, the progress made with the implementation of these recommendations and shall report on the results obtained therewith.

VI. PENITENTIARY AND PRISON POLICIES

Take note of the Report of the Third Meeting of Officials Responsible for Penitentiary and Prison Policies of the OAS Member States, held at OAS headquarters on September 17 and 18, 2012, extend the term of the recommendations adopted at its Second Meeting, and recommend the convening of the Fourth Meeting of those authorities, in order to continue exchanging information and experiences and strengthening reciprocal cooperation in this area.

VII. JUSTICE STUDIES CENTER OF THE AMERICAS (JSCA)

1. Congratulate the JSCA on its work in the Americas since REMJA VIII, especially in evaluating criminal justice reform processes, improving legal defense standards, identifying best practices in the investigation of complex crimes, promoting pre-trial services, and producing indexes of online access to relevant judicial information.

1. Brazil is of the opinion that the Council of Europe's Convention on Cybercrime is the result of a regional negotiation process, the outcome of which is appropriate to that reality. Nevertheless, Brazil believes that the principles of that Convention would have to be revised to cover the needs of the Americas, given that it supports solutions based on a paradigm for the management of cyberspace that is inclusive, people-centered, and oriented toward development.

2. Approve the renewal of the mandate of the JSCA's Executive Director, as unanimously agreed by its Board of Directors at its regular meeting of December 2, 2011, in accordance with the JSCA Statutes.

3. Promote a greater and more effective participation by the OAS member states in the programs and activities of the JSCA, particularly in those areas related to access to justice in civil matters, and for the states and organs and institutions with ties to Inter-American System to consider deepening their working relations with the JSCA in the areas in which it has competence.

4. Invite the JSCA, within the constraints of its available resources and in accordance with the objectives set in its Statutes, to consider including in its work plans the conclusions and recommendations of the REMJA process and, also, invite the OAS member states to consider making voluntary contributions toward that end.

5. Reiterate the call on the OAS member states to consider making voluntary contributions to the JSCA in order to fund its basic expenses as agreed on at REMJA VI and ratified at the thirty-sixth regular session of the OAS General Assembly.

6. Encourage States to develop training activities with the JSCA, such as those carried out in the Republic of Argentina which solidified the National Training Program for Criminal Procedure Reform.

VIII. LEGAL COOPERATION IN THE AREA OF FAMILY AND CHILD LAW

1. Continue strengthening the exchange of national experiences and legal and judicial cooperation under the aegis of the inter-American system in the areas of family and child law, on such topics as adoptions, the return of minors, and parental support payments.

2. Reaffirm the contents of REMJA VIII's recommendation XI.2, as regards requesting the member states to designate central authorities for the various Inter-American Conventions to which they are parties, such as:

- a. The Inter-American Convention on Letters Rogatory and its Additional Protocol,
- b. The Inter-American Convention on Proof of and Information on Foreign Law,
- c. The Inter-American Convention on Support Obligations,
- d. The Inter-American Convention on the International Restitution of Minors, and
- e. The Inter-American Convention on International Traffic in Minors.

3. Express its satisfaction at the holding of the First Technical Meeting on November 9 and 10, 2010, at OAS headquarters in Washington, D.C., at which the Department of International Law of the OAS Secretariat for Legal Affairs informed the member states of the results of the First and Second Pilot Meetings of the Network for Legal Cooperation on Family and Child Law and which discussed the usefulness of the network and the states' interest in setting up a working group.

4. Take note of the recommendation from the Declaration of Ministers of Justice of MERCOSUR and Associated States with respect to the Pilot Project of the Hemispheric Network on Family and Children.

5. Recommending the holding of a Second Technical Meeting prior to REMJA X, to evaluate the results of the pilot meetings and enable the member states to reach a final agreement on the establishment of a working group on international legal cooperation in family and child law.

6. Urge the member states to designate their competent authorities for participating in the meetings of the Network for Legal Cooperation on Family and Child Law.

7. Reiterate the terms of item XI.9 of the Conclusions and Recommendations of REMJA VIII, recommending that the member states consider ratifying or adhering to, as applicable and as promptly as possible, the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted in November 2007.

8. Extend its appreciation to the Government of Spain for its funding of the operations and strengthening of this Network for Legal Cooperation and for its active participation therein.

IX. LEGAL COOPERATION AGAINST TRANSNATIONAL ORGANIZED CRIME

1. Take note of the report of the Third Meeting of the OAS Technical Group on Transnational Organized Crime, held in Port of Spain, Trinidad and Tobago, on November 16, 2011, and of the conclusions and recommendations of the High-Level Hemispheric Meeting on Transnational Organized Crime, held in Mexico City on March 1 and 2, 2012.

2. Take note of the “Chapultepec Consensus: Establishment of the Hemispheric Approach against Transnational Organized Crime” adopted by the authorities of the 18 participating States^{2/} at the International Conference held in Mexico City on September 20, 2012, in compliance with the agreements reached at the Sixth Summit of the Americas^{3/} in Cartagena de Indias, Colombia, on April 14 and 15, 2012, and as the result of the technical consultations held in Cancun, Mexico; Antigua, Guatemala; and Santiago, Chile, in May, June, and August 2012, respectively, which includes that “the activities of the Hemispheric Approach for Cooperation against Transnational Organize Crime take into account... the decisions and outcomes... of the Meetings of Ministers of Justice or Other Ministers or Attorneys General of the Americas (REMJA),” and the Coordinating Center of the Americas “is committed to making use of and benefiting from the existing technological platforms, such as the Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition of the OAS...” (REMJA/OAS Criminal Matters Network).

3. Invite the member states to consider, within the OAS, the creation of an OAS Inter-American Commission against Transnational Organized Crime, and the launch of the Coordinating Center of the Americas against Transnational Organized Crime.

2. The participating States were: Belize, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, United States, and Trinidad and Tobago

3. The Republic of Ecuador formulates an express reservation regarding the references to the Sixth Summit of the Americas, held on April 14 and 15, 2012, in Cartagena de Indias, Colombia, without prejudice to the contents approved by Ecuador in other negotiation contexts, as applicable.

X. HEMISPHERIC LEGAL AND TECHNICAL COOPERATION AGAINST THE CRIME OF TRAFFICKING IN PERSONS

1. Express its satisfaction at the holding of the Third Meeting of National Authorities on Trafficking in Persons, which took place in Guatemala City, Guatemala, on October 15 and 16, 2012 and endorse the conclusions contained in document OEA/Ser.K/XXXIX.3 RTP-III/doc.7/12, and to reiterate the Conclusions and Recommendations of REMJA VIII in that area.

2. Recommend that, in light of the results of this meeting, the necessary steps be taken to ensure that the cooperation actions being developed within the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition (Working Group on Legal Cooperation on Criminal Matters) and the Hemispheric Network for Legal Cooperation on Criminal Matters (Criminal Matters Network) promote and help strengthen legal cooperation for the prevention, investigation, and prosecution of the crime of trafficking in persons.

3. Reiterate the importance of technical cooperation among member states for addressing the crime of trafficking in persons.

4. To express its satisfaction with the progress made in terms of hemispheric cooperation against trafficking in persons, and urge the member states to redouble their efforts to combat this crime.

XI. COOPERATION IN FORENSIC SCIENCE

Continue strengthening the exchange of information and cooperation among forensic authorities of the OAS member states and to report to REMJA X on the progress made in this area.

XII. REMJA PROCESS

1. At REMJA X and under the leadership of the Chair of the meeting, encourage an exchange among the Heads of Delegation in order to agree on the modifications deemed relevant with respect to the competencies that correspond to the REMJA and adopt reforms to the “Document of Washington” that are necessary as a result, taking into account that the REMJA has consolidated itself as the hemispheric political and technical forum in the areas of justice and international legal cooperation. Toward that end, request that the Technical Secretariat undertake consultations with member states, prior to REMJA X, for the purpose of providing input to these discussions at REMJA X.

2. That, pursuant to recommendation I.12 of the Fifth Meeting of the REMJA Working Group on Mutual Assistance in Criminal Matters and Extradition (document PENAL/doc.34/12 rev. 1), bearing in mind the new mandates that the REMJA process has assigned to the Working Group on Mutual Assistance in Criminal Matters and Extradition for following up on its recommendations on topics related not only to those areas but to others that imply the strengthening and promotion of hemispheric legal cooperation on criminal matters, provision 15.a of the “Document of Washington” be amended so that this Working Group, while at all times maintaining legal cooperation on criminal matters and extradition as its central focus, be renamed the “Working Group on Legal Cooperation on Criminal Matters,” thus further clarifying the scope of its competence.

3. That, pursuant to provision 30 of the “Document of Washington,” the OAS General Secretariat, through the Department of Legal Cooperation of the Secretariat for Legal Affairs, in its capacity as the REMJA Technical Secretariat, distribute the “Document of Washington” to all the delegations, with the amended provision described in the previous paragraph, and publish it, in its English, French, Portuguese, and Spanish versions, on its web site.