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REPORTS

INTER-AMERICAN BAR ASSOCIATION

JOHN O. DAHLGREN*

I. INTRODUCTION

The year 1985 is a year of milestones for the Inter-American Bar Association (IABA), as it observes its forty-fifth birthday and its XXV Conference. The Conference was held in Acapulco, Mexico, from September 28 to October 4, 1985.

In the years prior to World War II, an increasingly large number of progressive lawyers became conscious of the importance of the rule of law in protecting the democratic institutions of the Western Hemisphere. To promote the rule of law and to advance the best interests of the legal profession, these lawyers believed that it was necessary to develop closer relations between lawyers and professional organizations in all nations of the Western Hemisphere. To achieve these objectives, a permanent forum for the exchange of professional views and information was required. To fill this need for an unbiased and professional forum the Inter-American Bar Association was founded in Washington, D.C., on May 16, 1940, by a group of distinguished lawyers and jurists representing 44 professional organizations distributed throughout 17 nations of the Western Hemisphere. The following year in Havana, Cuba, the first of a long series of successful Inter-American Bar Conferences was held.

II. OBJECTIVES AND PURPOSES OF THE ASSOCIATION

The constitutional objectives of the IABA are:

To establish and maintain relations between associations and organizations in the various countries of the Americas, to provide a forum for exchange of views;

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To advance the science of jurisprudence in all its phases and particularly the study of comparative law; to promote uniformity of laws; to further the diffusion of knowledge of the laws of the various countries throughout the Americas;

To promote the rule of law and the administration of justice through the establishment and maintenance of independent judicial systems in all the countries of the Americas;

To insure in this manner, the preservation and defense of human rights and liberties and guarantee to the peoples of this hemisphere the free exercise of their civil and political rights under the democratic principles on which these nations were founded;

To uphold the honor of the profession of the law; to encourage cordial relations and fellowship among the lawyers of the Western Hemisphere;

To meet in conference from time to time for the discussion of matters of interest to the profession and for the purposes of the Association.

III. ORGANIZATION OF THE ASSOCIATION

The IABA's Constitution permits membership of professional organizations as well as individual lawyers. At present, 64 professional organizations are members of the IABA. National, state, and local bar associations, representing various countries of the hemisphere, comprise the majority of the organization's members.

The executive headquarters of the IABA is located in Washington, D.C., where close liaisons can be maintained with the Organization of American States and other organizations active in the work of hemispheric welfare and development.

At the IX Conference of the IABA, held in Dallas, Texas, in 1956, the Constitution was amended to allow membership by individuals. There are now over 3,000 individual members. The individual members are comprised of the following categories and corresponding associates: (1) Student Members: students in the last two years of law school or graduate study; (2) Junior Members: lawyers that were admitted to the Bar within the last five years; (3) Senior Members: all other lawyers; (4) Contributing Members: those lawyers who wish to make a larger contribution to the work of the IABA; (5) Life Members: those lawyers who make one contribution of \$500 or more; (6) Patron Members: lawyers who make

a contribution of \$1,000 or more; and (7) Corresponding Associates: lawyers who are citizens of nations outside the Western Hemisphere.

IV. DIRECTING BODIES AND OFFICERS

Subordinate to the IABA assembled in conference are the directing bodies. The directing bodies consist of: the Council, elected by the Association in conference; and the Executive Committee, elected by the Council at its first meeting following the close of each conference.

The administrative officers of the IABA are: the President, the chairman of the executive committee; the Vice-Presidents; the Secretary General; the Secretary; the Treasurer; and the General Rapporteur. These officers are elected by the Council at its first meeting following the close of each conference.

V. ACTIVITIES OF THE ASSOCIATION

A. *Conferences of the Association*

The IABA's most important activity is the conference held every 18 months in one of the hemisphere's countries. At each conference, the permanent committees of the IABA (there are presently 13 committees) meet separately to discuss the outstanding papers within their particular field and to exchange information and ideas on legal matters of interest to the lawyers of the Americas, their respective governments, and international organizations. Each committee usually presents resolutions and recommendations to the Council for consideration and referral to the General Assembly for further consideration and adoption. The conference resolutions indicate the breadth of the IABA's goals. These resolutions, which are the result of the study and analysis of the respective committees, the Council, and the General Assembly, are disseminated to all of the members of the IABA, to the Organization of American States, to other international organizations, and to the governments of countries in the Western Hemisphere.

Much of the IABA's work is done through its committees. The committees cover nearly the entire field of the law, including subjects such as public and private international law, constitutional law, administrative law, civil law, procedure and litigation, commercial law and procedure, criminal law and procedure, develop-

ment and integration, legal education and legal profession, human rights, natural resources and environmental protection, fiscal law, military law, and economics of the practice of law.

In addition to conferences sponsored by the IABA, the IABA participates through observers in various conferences and meetings of importance to the hemisphere.

In recognition of the value of the activities of the IABA in both sponsoring and participating in these conferences, the Organization of American States, on April 5, 1961, passed a formal resolution approving the establishment of a special relationship of cooperation between the Economic and Social Council of the Organization of American States and the Inter-American Bar Association.

B. *The Inter-American Academy of International and Comparative Law*

Pursuant to a resolution adopted by the first Inter-American Bar Conference, the Inter-American Academy of International and Comparative Law (Academy) was founded as a permanent adjunct to the IABA in 1941, in Havana, Cuba. The purpose of the Academy is to advance the science of jurisprudence, with special emphasis on the study of comparative law.

The original headquarters of the Academy was in Havana, Cuba. Eleven very successful sessions were held there. At each of these sessions lectures and papers were presented by eminent professors of law, government officials, and practicing lawyers of the highest repute. It has been customary to publish the proceedings of each session of the Academy. The site of the Academy was changed to Lima, Peru, in 1963. In 1973, the site was changed from Lima to Rio de Janeiro, Brazil. The President of the Academy is an ex officio member of the Council of the IABA.

C. *The Inter-American Bar Foundation*

In April, 1957, the Inter-American Bar Foundation (Foundation) was incorporated under the laws of Pennsylvania as a companion organization to the IABA. The Foundation's purpose is to receive and disburse funds donated for the support of educational, literary, scientific, and charitable projects that are designed to promote the study of law and improve the administration of justice in

the Western Hemisphere. Contributions to the Foundation are tax deductible under a ruling from the U.S. Treasury Department. The President of the Foundation is an ex officio member of the Council of the IABA.

The Foundation has organized workshops in Latin American countries and in the United States on subjects of contemporary legal interests. In the field of human rights, a workshop was presented in San Jose, Costa Rica, in 1979, on the American Convention on Human Rights. In 1981, in Quito, Ecuador, the Foundation co-sponsored a seminar on International Humanitarian Law. At a Tampa, Florida, meeting in 1982, the Foundation celebrated its 25th anniversary. At the 1983 Panama meeting, a seminar was presented on the legal rights of indigenous peoples. The Foundation also manages an international educational exchange and training program for young lawyers.

D. *Inter-American Copyright Institute*

The Inter-American Copyright Institute was created pursuant to a resolution adopted at the XVIII Conference of the IABA held in Rio de Janeiro, Brazil, in 1973. The Institute is a non profit private international organization, the purpose of which is to promote the study and progress of effective protection of the rights of intellectual property in America. The President of the Institute is an ex officio member of the Council of the IABA.

VI. XXV CONFERENCE

The IABA held its XXV Conference in Acapulco, Mexico from September 28 to October 4, 1985. The Conference was co-hosted by the following Mexican Bar Associations: the Federación Nacional de Colegios de Abogados, the Ilustre y Nacional Colegio de Abogados, the Asociación Nacional de Abogados, the Colegio Nacional de Abogados de Monterrey, the Barra de Abogados de Acapulco and the Colegio de Abogados del Estado de Guerrero. The President of Mexico, H.E. Lic. Miguel de la Madrid, was invited to take part in the inaugural session, scheduled for September 29, and to extend a welcome message to the Conference participants.

Peace and the administration of justice was approved by the Council at its meeting in Barbados last November as the central theme for the Conference. There was a special program during the

Conference that included workshops within the scope of the administration of justice dealing with the independence of the judiciary, judicial careers, court management, training opportunities, and relations between the courts and bar associations.

Virtually all of the thirteen permanent committees planned their own committee meetings. A number of these included outside speakers and a panel discussion or other special presentation. A substantial number of high caliber papers prepared for presentation at the committee sessions assured fruitful committee deliberations.

Further information regarding the Inter-American Bar Association may be obtained from the Headquarters Office, 1889 F Street, N.W., Suite #450, 4th Floor, Washington, D.C. 20006 [Telephone: (202) 789-2747].