The XXIII Conference of the Association will take place in the City of Tampa, Florida, November 6-12, 1982, hosted by the Hillsborough County Bar Association with the support of The Florida Bar and local authorities. A meeting of the Council will be held in Buenos Aires, Argentina, April 14-17, 1982.

Following is the new Committee structure as amended after the XXII Conference which was held in Quito, Ecuador, March 1981. For each Conference, the Committees will establish Working Groups as may be necessary according to topics, papers submitted and particular interest shown by the participants.

Committee I. Public and Private International Law
Committee II. Constitutional Law
Committee III. Administrative Law (includes: Labor Law, Municipal Law, Food and Drug Law)
Committee IV. Civil Law, Procedure and Litigation
Committee V. Commercial Law and Procedure
Committee VI. Criminal Law and Procedure
Committee VII. Military Law
Committee VIII. Development and Integration
Committee IX. Legal Education and Legal Profession
Committee X. Fiscal Law
Committee XI. Natural Resources and Environmental Protection
Committee XII. Human Rights

The XXII Conference was attended by more than 500 lawyers from twenty countries of the Western Hemisphere, as well as official observers of various international organizations, such as: Organization of American States, International Bar Association, The American Society of International Law, Inter-American Development Bank,

† Mr. Dahlgren is the Secretary-General of the Inter-American Bar Association and is the regular contributing editor of this report.
Various awards were given at the XXII Conference. The following is a list of the awards and their recipients.

"IABA Medals"—Dr. Sigfrido Gross Brown, of Asunción, Paraguay, former IABA President, was the recipient of the Gold Medal of the Association in recognition of his continued and valuable contributions to the principles of IABA.

Dr. Ricardo Izurieta Mora Bowen and Dr. José Vicente Troya Jaramillo, Presidents of the Federación Nacional de Abogados del Ecuador and the Colegio de Abogados de Quito, respectively, were each awarded a Silver Medal for their outstanding work in connection with the local arrangements for the Conference.

"Best Paper Award"—Dr. Alfredo Hanna Musse, of Guayaquil, Ecuador, received this award for his paper entitled "De la Creación del Triununal de Justicia en el Acuerdo de Cartagena."

"William Roy Vallance Award"—Dr. Natalio Chediak, of Miami, Florida, one of the founders of the IABA, received this award which is given by the Inter-American Bar Foundation at the IABA Conferences to persons who exemplify the outstanding qualities of the first Secretary General of the Association, William Roy Vallance.

"Law Student Award"—First Prize: US$300 to Mitchell M. Cohen and Martha L. Hutzelman, of the University of Arizona College of Law, for their paper entitled "Inter-American Cooperation in Obtaining Testimony: The Problems of Integrating Foreign Systems of Evidence—A Comparative Study of the United States, the Federal Republic of Germany and Mexico." Second Prize: US$200 to Daniel R. Einbund, of Pace University School of Law, New York, for his paper entitled: "Asociación Latinoamericana de Integración—Precedent Law in Mexico." Third Prize: US$100 to Miguel A. Loinaz Ramos, of the Faculty of Law and Social Sciences of Uruguay, for his paper entitled: "Asociación Latinoamericana de Integración—Precedentes, Análisis Comparativo y Proyecciones." A Diploma was also given to each of these students.
The following Resolutions, Recommendations and Declarations were approved by XXII Conference held in Quito, Ecuador, March 14-21, 1981.

COMMITTEE I. PUBLIC INTERNATIONAL LAW

Resolution 1

*Model Convention on the Prevention and Punishment of Certain Forms of Violence*

WHEREAS:

Since the XXII Conference of the Inter-American Bar Association aircraft hijackings, hostage taking, diplomatic kidnapping, consulate bombings, and other similar violent acts have occurred; and

Recognizing the fundamental rights of each individual to live without physical and moral harm,

RESOLVES

To recommend that the Organization of American States study and consider, as it deems appropriate, the "Model American Convention on the Prevention and Punishment of Certain Serious Forms of Violence Jeopardizing Fundamental Rights and Freedoms."

Sec. A. Law of the Sea and Oceanography

RESOLUTION 2

*Ocean Resources Recovery*

WHEREAS:

The welfare of mankind requires the most judicious use of the vast resources of the oceans of the world,

RESOLVES

To recommend the formulation and development of international rules concerning ocean resources recovery and the drafting of multilateral treaties or agreements containing such rules.

1. The texts of these resolutions are sent by the Executive Headquarters to all individual members and member associations of IABA, governments of the American States, international organizations and others as may be provided for in each Resolution. Resolutions marked with an asterisk (*) are translations of the original text.
Sec. B. Air and Space Law

Resolution 3
Solar Power Satellites

WHEREAS:
There exists an ever increasing world-wide demand for energy and limited availability of conventional sources of energy,

RESOLVES
To recommend to individual members, member associations of the Inter-American Bar Association, and other organizations, that they encourage the governments of their respective countries to promote international cooperation, among other fields, in the research and development of solar power satellites.

Committee II. Private International Law Committee VIII. Criminal Law and Procedure

Resolution 4
Preparatory Work for CIDIP-III

WHEREAS:
The Organization of American States (OAS) has successfully convened two Inter-American Specialized Conferences on Private International Law, CIDIP-I and CIDIP-II, in Panama and Montevideo, in 1975 and 1979, respectively;
The future success of the OAS in the field of private international law will require careful selection of topics, expert analysis of the legal systems in the Hemisphere and drafting of treaties which can be accepted by the American States of different legal traditions;
The results of the OAS First Meeting of Experts on Private International Law in April 1980, in Washington, demonstrate the advantage and importance of having groups of experts appointed to study the topics proposed for CIDIP-III and prepare the drafts and reports for it, which should be submitted to the Inter-American Juridical Committee and the OAS Member States for comments,

RESOLVES
1. To recommend:
   a) To the Organization of American States (OAS) that, through its competent organs and with the participation of its Secretariat
for Legal Affairs, prepare, based on comments from the OAS Member States, a paper identifying the priority topics for CIDIP-III, analyze the need for inter-American treaties on those topics, and determine if the topics have been or are being considered by another international institution such as The Hague Conference on Private International Law, UNIDROIT or UNCITRAL.

b) That the OAS Secretariat for Legal Affairs appoint and convene a group of experts for each of the priority topics for CIDIP-III and that the drafts and reports of these groups be submitted to the Inter-American Juridical Committee for study and, subsequently, to the consideration of the governments of the OAS Member States.

c) That the OAS Secretariat for Legal Affairs compile and review the comments of the Committee and the OAS Member States and, if necessary, reconvene the groups of experts to make any changes in the drafts and reports that they deem appropriate.

d) That the final drafts and reports of the groups of experts serve as the basis for selection of topics for the agenda of CIDIP-III and be submitted to the delegations of the OAS Member States for any negotiation that they deem appropriate, prior to CIDIP-III.

2. To support actively the allocation of funds in the Program-Budget of the OAS to carry out adequately the tasks, studies and meetings set forth in this resolution relating to the preparation of CIDIP-III.

3. To transmit copies of this resolution to the Missions and Delegations of the OAS Member States and to the General Secretariat of the OAS.

**Resolution 5**

*Inter-American Convention on Extradition*

**WHEREAS:**

The Inter-American Convention on Extradition approved by the Inter-American Specialized Conference on Extradition (CEDEX) held in Caracas, Venezuela, February 16-25, 1981, constitutes an instrument which solves the substantive and procedural problems of extradition in the Inter-American System, with modern criteria based on the most recent developments in comparative law;

The aforementioned Convention, signed by eleven Members States of the OAS, constitutes a legal means for international judicial cooperation in the struggle against criminality;

The said Convention provides, under certain conditions, for prior conventions on this subject to remain in force unless the States Parties
concerned otherwise expressly declare or agree, thus extending the extradition possibilities,

RESOLVES

1. To declare that the Inter-American Convention on Extradition constitutes a valuable instrument deserving consideration by the OAS Member States.

2. To recommend that the handling of communications relating to extradition requests be made directly by the competent judicial authorities determined by each country.

3. To recommend to the member associations and individual members of the Inter-American Bar Association that they urge the governments of their respective countries, which have not done so, to sign and ratify the Inter-American Convention on Extradition.

4. To transmit copies of this resolution to the Missions and Delegations of the OAS Member States, to the Inter-American Juridical Committee which prepared the Draft Convention considered by the Specialized Conference, and to the OAS General Secretariat which prepared studies, and documents and provided technical cooperation to the Conference.

RESOLUTION 6*

Ratification of the Conventions Approved by CIDIP-I

WHEREAS:

The Conventions approved by the OAS First Specialized Inter-American Conference on Private International Law (CIDIP-I), held in Panama in 1975, have been ratified by a considerable number of Member States of the OAS, but some Member States have not yet ratified such Conventions;

That CIDIP-I and the Conventions it has approved constitute a significant step in the progressive development and codification of Private International Law in the Inter-American System,

RESOLVES

1. To recommend that member associations and individual members of the Inter-American Bar Association urge the governments of their respective countries, which have not yet done so, to sign and ratify the Conventions approved by CIDIP-I.

2. To transmit copies of this resolution to the Missions and Delegations to the OAS Member States and to the OAS General Secretariat.
Resolution 7*

Ratification of Conventions Approved by CIDIP-II

WHEREAS:

The Conventions approved by the OAS Second Inter-American Specialized Conference on Private International Law (CIDIP-II) held in Montevideo, Uruguay, in 1979, complements the accomplishments of CIDIP-I in the progressive development and codification of Private International Law in the Inter-American System, but only two OAS Member States have ratified such Conventions;

It is necessary to promote consideration by the other OAS Member States of the CIDIP-II Conventions;

The convocation of CIDIP-III by the OAS General Assembly in 1980 confirms the need to continue the progressive development and codification already accomplished by CIDIP-I and CIDIP-II.

RESOLVES

1. To recommend to the member associations and individual members of the Inter-American Bar Association that they urge the governments of their respective countries, which have not yet done so, to sign and ratify the Conventions approved by the Second Specialized Inter-American Conference on Private International law (CIDIP-II), held in Montevideo in 1979.

2. To recommend that CIDIP-III be held in the near future.

3. To transmit copies of this resolution to the Missions and Delegations of the OAS Member States and to the OAS General Secretariat.

Resolution 8

Expatriation of Accused Persons for Trial and Sentences in the Country Where they Committed the Offense

WHEREAS:

The 58th Conference of the International Law Association held in 1978 adopted the substantive part of a model convention on expatriation of citizens for trial, sentence and repatriation for carrying out sentence according to local law;

The 59th Conference of the International Law Association held in 1980 adopted the procedural part of said model convention;

The European Convention on the International Validity of Criminal Judgments entered into force on July 26, 1974;

It is deemed essential to reintegrate convicted persons into their own society;
Argentina, Canada, Mexico, Peru, the United States of America and Uruguay have signed and ratified bilateral treaties on the execution of foreign penal sentences,

RESOLVES

To urge the authorities of the American States, member associations and individual members of the Inter-American Bar Association, other organizations and lawyers, to promote in their respective countries consideration of the possibility of negotiating bilateral treaties or of adhering to multilateral conventions concerning the expatriation of accused citizens for trial and sentence in the country where they committed the offense, and subsequent repatriation to the country of their habitual residence for enforcement of sentence according to local law.

Resolution 9*

Bilateral Treaties on Exchange of Prisoners

WHEREAS:

The bilateral treaties entered into by Mexico and Canada, Mexico and the United States of America, and Venezuela and Canada, regarding the exchange of prisoners, have successfully been put into practice;

Rehabilitation is important for prisoners in order that they may return to society as productive persons;

Prisoners in countries where such treaties are in effect may, if they so request, complete their sentences in prisons in a geographical area closer to their homes and accessible to their relatives and friends, thereby improving the possibility of their rehabilitation,

RESOLVES

To recommend to the governments of the American States that they enter into bilateral treaties to allow prisoners to return to their country of origin to complete their sentences, and to suggest to the United Nations that it promote the adoption of similar bilateral treaties in other areas of the world.

Committee III. Constitutional Law

Resolution 10*

Representation of Minorities in Government Agencies: Juridical Effects of Constitutional Reforms by De-Facto Governments;
Defense of the Independence of the Judiciary
RESOLVES

To adopt the following declarations and recommendations:

I. Representation of Minorities in Government Agencies:
   a) Declares the need for minority integration in the Legislative Bodies and other government agencies.
   b) Urges adoption of a political-electoral system which provides for proper minority representation, as a means to achieve democracy through participation by all political parties of the nation.
   c) Recommends adoption of other means to institute participation of the different sectors of society in the State.

II. Juridical Effects of Constitutional Reforms by De-Facto Governments:

   Declares that in acknowledging representative democracy as the political system which better respects the rights of the people, it is imperative—in face of any change of form of government, or of establishment of irregular governments in relation to the Constitution in effect—to maintain the principle that sovereignty is vested in the people and that public power be exercised for the benefit of the people, with due respect to the inherent values of dignity of the human being.

III. Defense of the Independence of the Judiciary:

   Declares the need to insure the independence of the Judiciary and to this effect suggests:
   a) Financial autonomy of the Judiciary.
   b) Participation of Bar Associations as consulting bodies of the appointments of judges.
   c) Dismissal of judges from office can be carried out only according to the Constitution and the law, thus safeguarding the exercise of the right of defense.
   d) A law that provides for and regulates the judicial career as well as improved systems for judges and other Court officials.
   e) Observance of the principle of non-removability from office and rank.
   f) Remuneration in accordance with the dignity of the position as stated in previous resolutions of the Inter-American Bar Association, which principles are hereby reiterated.
   g) Public authorities should provide the necessary means for the effective compliance and due observance of judicial decisions.

COMMITTEE V. CIVIL LAW

Sec. C. Intellectual and Industrial Property. Inter-American Copyright Institute
RESOLUTION 11*

Rights of Author, Interpreter and Contractor

WHEREAS:

The rights of the author, interpreter and contractor are generally granted to enterprises under the provisions of labor contract; and through such transfer, enterprises seek freedom of decision in managing such intellectual works, without the need to consult with the authors, interpreters and contractors;

The participation by authors, interpreters and contractors in profits resulting from the exploitation of works would constitute a reasonable compensation for the intellectual activities of the authors, interpreters and contractors; and that it is advisable to harmonize their interests with those of the enterprises,

RESOLVES

To urge the member associations of the Inter-American Bar Association to promote in their own countries, where it does not exist, legislation which will guarantee participation in the profits resulting from the exploitation of the intellectual works, in cases of cession of the rights of authors, interpreters or contractors.

COMMITTEE VII. COMMERCIAL LAW

RESOLUTION 12*

Capital of Companies and its Modification

WHEREAS:

When significant inflation takes place, the assets of commercial companies do not represent true value and the increased amount of capital as reflected does not always reveal the real profit of the company;

Some countries impose high costs for the amendment of by-laws to adjust the capital to monetary devaluation and require the payment of additional taxes, as in the case of genuine capital stock increase,

RESOLVES

To recommend to the governments of the American States to include in their legislation rules enabling commercial companies to establish their amount of capital stock and future modifications in accordance with their by-laws, provided that:
a) The real capital is indicated in the document setting up the company and that it be subject to public registration;
b) The capital amount and type of shares are stated accurately in the respective balance sheets;
c) The increases may be made through private legal instruments provided they are authorized by the appropriate government agency for its subsequent registration.

Resolution 13*

Corporate Offenses

WHEREAS:

The rapid political-economic changes in developing countries require not only a true and well planned social and economic evaluation, but also a precise legal solution; and legislators, when planning rules to suppress monopolies and restrictive commercial practices, must have adequate assistance by economists, sociologists and political science experts,

RESOLVES

1. To recommend to the governments of the American States which have not approved legislation on corporate offenses that they provide a procedure for administrative settlement prior to the penal jurisdiction.

2. To recommend that the foregoing procedure include:
a) counseling or research to enable experts to pre-determine the facts, so as to facilitate the work of the judge; and
b) decision making, recognizing the principle of innocence until proven guilty, through issuance of “Suspend and Abandon” instructions, or by immediate transfer of the action to the competent jurisdiction.

Resolution 14*

Individual Enterprises of Limited Liability

WHEREAS:

In many instances, unlimited individual entrepreneur’s responsibility is unfair, involving risk of his entire personal property;

In certain cases the association or company is adversely affected since it is constituted using as figureheads the minimum number of persons required for the constitution of a new company;

Better control and collection of taxes may be achieved by the Government if balance sheets, reflecting all profits, are submitted by individual enterprises legally operating;

Under some legislation, the dissolution of corporations and of enterprises of limited liability which remain with one sole partner or shareholder may be prevented if those corporations become individual enterprises of limited liability,

RESOLVES

To recommend:

1. Establishment of Individual Enterprises of Limited Liability by specific law or by supplementing the legislation in force.
2. That such legislation should establish a maximum capital for Individual Enterprises of Limited Liability.
3. Establishment of adequate agencies for publicity, tax control and jurisdiction to which the Individual Enterprises of Limited Liability shall be subject, thus avoiding their becoming factors for possible frauds.

COMMITTEE IX. MILITARY LAW

Resolution 15

Dissemination of the Principles of International Humanitarian Law

WHEREAS:

The Inter-American Bar Association recognizes the historic dedication of the legal professional to the advancement of human rights, both in this Hemisphere and throughout the world; and it affirms its support to the principles of humanitarian law embodied in the 1949 Geneva Conventions for the Protection of War Victims, and in Protocols I and II to those Conventions;

Wider dissemination of those Conventions, Protocols and humanitarian principles will reinforce compliance with international humanitarian law during time of armed conflict; dissemination which would decrease human suffering in time of armed conflict and increase respect for human rights at all times,

RESOLVES

To urge the governments of the American countries, bar associations and lawyers of the Western Hemisphere to cooperate in disseminating the texts of the 1949 Geneva Conventions for the Protection of
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War Victims, and Protocols I and II, as widely as possible, in their respective countries, and to include them in both the training of military personnel and in the education of the general civilian population.

Resolution 16

Condemnation of Taking Diplomats as Hostage

WHEREAS:

The Inter-American Bar Association recognizes, as a basic principle of international law and in accordance with the 1961 and 1963 Vienna Conventions, that individuals protected by diplomatic and consular law are inviolable and that no purpose or cause can justify taking such individuals hostage;

Diplomatic relations among nations are of fundamental importance,

RESOLVES

To condemn any government, movement or group engaged in taking as hostage individuals protected by diplomatic and consular law.

COMMITTEE X. LABOR LAW

Resolution 17

Prohibition Against Discrimination

WHEREAS:

In accordance with Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations, all individuals have the right to live, to freely select their work, to be protected against unemployment and to have equal pay for equal jobs, all of this without any discrimination because of race, sex, religion, political opinion, nationality and economic status, among other considerations.

Agreements and Recommendations adopted by the International Labor Organization, of which American countries are members, relating to discrimination in employment, include the same purposes as the Universal Declaration of Human Rights;

There still are countries which have not enacted legislation prohibiting discrimination,
RESOLVES

To recommend to the governments of the American countries, which have not done so, that they enact legislation prohibiting discrimination based on race, sex, religion, political opinion, nationality and economic status, among other considerations, which limit equal opportunity or treatment in employment, and providing penalties for employers or their representatives for violations of this prohibition.

Resolution 18*

Stability in Employment

WHEREAS:

Job stability is a right of all individuals who render services and constitutes a factor of social interest and benefit to laborers, employers and the community,

RESOLVES

To recommend to the governments of the American States, that have not already done so, to enact legislation to establish stability in employment by providing that employment may be terminated only for justifiable cause previously established. In case of dismissal without justifiable cause, as determined by a competent tribunal, this tribunal may order reinstatement in the employment; and, should the employer refuse to comply with such an order, special indemnification to be determined by the tribunal shall be paid by the employer without prejudice to payment of compensation for the period of suspension.

Resolution 19*

Unemployment Compensation

WHEREAS:

Unemployment of a worker causes various problems because of the lack of adequate protection against unemployment;

Once the labor relationship has been terminated, it is necessary for the worker to have sufficient economic support to satisfy his and his family's needs until he finds new employment;

Not all American countries have legislation providing unemployment compensation,
RESOLVES

To recommend to the governments of the American countries, which have not done so, that they enact legislation providing unemployment compensation which will give economic protection to the unemployed worker until he obtains new employment.

Resolution 20*

Rights of Foreign Undocumented Workers

WHEREAS:

Illegal migration of workers from one country to another in the American Continent, seeking jobs, is a well documented sociological fact;

The condition of a foreign undocumented worker creates a special status lacking legal protection in the country in which he is working;

This situation requires legal measures to protect equally the rights of the foreign and national worker, in order to fulfill the principle of equality before the law, and to guarantee to the worker one of the fundamental human rights,

RESOLVES

To recommend to the governments of the American countries to establish uniformity in their legislation so as to provide for foreign undocumented workers the same rights as the national worker of the country in which they are working, unless the immigration laws of those countries provide otherwise; and to recommend also that the International Labor Organization (ILO) incorporate this provision in its resolutions so that it may become a universal principle of labor law.

Resolution 21*

Social Security Benefits

WHEREAS:

Social security for working class should not be subject to limitations imposed by national boundaries, thus lessening its extent and possibilities,

RESOLVES

1. To recommend that in the social security legislation of each American country the principle of extraterritoriality be incorporated,
with the sole condition that the beneficiary be affiliated with an insurance institution, as a worker.

2. To recommend that the worker who has made contributions in different countries be credited with cumulative contributions so that he may have the right to social security assistance and benefits.

COMMITTEE XI. FISCAL LAW

Sec. A. Taxation

RESOLUTION 22*

Taxes and Their Limitation

WHEREAS:

The fundamental principles of the law of taxation, legality, equality, among others, have been part of the law or are in the process of being incorporated in the fundamental norms of the legislation of the American countries, some of which have been elevated to constitutional principles;

The dynamic imposed on the economy by the economic development process in demanding rapid solutions or urgent measures, jeopardizes, in certain circumstances, the full observance of those principles;

The complexity of some systems of taxation acts as an obstacle to the strict application of these principles;

It is necessary to preserve the full observance of such principles in order to maintain the rule of law which would permit the collection of taxes on a fair basis, and take into account the tax-paying ability and the redistribution of wealth, while maintaining balance between national development and integration policies,

RESOLVES

To recommend:

1. Careful control of the limits of taxation in its legal and economic aspects, and adoption of appropriate measures so that the tax legislation reflects the socio-economic conditions of the respective countries.

2. The study of juridical norms which would permit a simpler taxation system, less costly to the pertinent bodies and which would protect the individual liberty.

3. The study of the inflation phenomenon and its possible effects on taxation, which may imply an increase in the levels of taxation to confiscatory extremes and may distort the fiscal system established by the legislature.
COMMITTEE XII. DEVELOPMENT AND INTEGRATION

RESOLUTION 23*

*Industrial Promotion*

RESOLVES

To recommend to the governments of the American States:

1. Adoption or improvement of legislation concerning industrial promotion for developing countries, which would constitute a body of rules on economic policy tending to promote industrial development in each country.

2. That said rules could intensify, on a priority basis, the development of certain manufacturing activities or of some areas of such countries, to attain economic growth.

3. That they offer adequate orientation and incentives which would stimulate the promotion of private enterprise in a responsible and efficient manner, without excluding public enterprise from the benefits that may be granted.

RESOLUTION 24*

*Latin American Association on Integration (ALADI)*

WHEREAS:

On March 18, 1981, the Montevideo Treaty which created the Latin American Association on Integration entered into force, and this constitutes a significant achievement for Latin America;

The Latin American Association on Integration represents a positive regional effort,

RESOLVES

To declare that the entering into force of the Treaty Constituting the Latin American Association on Integration (ALADI) is received by the Inter-American Bar Association with satisfaction since it represents a hope for the people of Latin America.

RESOLUTION 25

*Inter-American Legal Services Association (ILSA)*

WHEREAS:

The Inter-American Legal Services Association (ILSA) was organized on December 20, 1978 under the laws of Washington, D.C., as
a non-profit corporation with the purpose of supporting and developing programs that deliver legal services to the poor and other underrepresented individuals and groups in Latin America and the Caribbean;

In furtherance of this objective, ILSA has undertaken various activities such as facilitating grants for the development of new legal services programs, providing technical assistance, creating a reference center, and fostering greater cooperation among bar associations, governments, educational institutions, the judiciary and other organizations in support of legal services for the poor;

Such legal services, including legal aid, public interest law and law reform, can make an important impact on the ability of poor people to participate effectively in their respective societies and to improve their own lives;

Legal services programs are necessary, especially for those in an economically weak position, to protect the right to equality before the law and the right to access to justice and a fair hearing—which are essential features of any democratic society—as proclaimed by the American Declaration on the Rights and Duties of Man, the American Convention on Human Rights, and the constitutions and laws of the American States,

RESOLVES

1. To endorse strongly the work of the Inter-American Legal Services Association (ILSA) in promoting inter-American cooperation in support of legal services for the poor and under represented.

2. To take note of the resolutions of the OAS Inter-American Juridical Committee on August 22, 1978 and February 9, 1979, which endorsed the creation of ILSA and its work.

3. To urge members of the Inter-American Bar Association to lend their full and enthusiastic support to ILSA, especially by facilitating cooperative relations with other legal institutions, both public and private, in their countries.

4. To transmit copies of this resolution to the Organization of American States and to the Inter-American Legal Services Association.

COMMITTEE XIII. LEGAL EDUCATION

RESOLUTION 26*

Seminars on Topics Relating to the Legal Profession
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RESOLVES

1. To recommend to the member associations of the Inter-American Bar Association that they sponsor seminars to study the following topics:
   a) The need for lawyers in each country, in order to determine if there is an excess of such professionals, and if so, its effects.
   b) Analysis of the curriculum of Law Schools, both private and public.
   c) Evaluation of the Law School graduates in order to determine as to whether or not their education conforms with the qualifications and moral standards required in the legal profession.
   d) Analysis of the curriculum of private and public Universities to determine if there are substantial differences which may result in various types of lawyers.
   e) Criteria for admission to Law Schools.
   f) The existing systems for admission to the Bar and for disciplinary action applicable to lawyers.

2. To recommend to said member associations that the resulting studies be sent to the Union Costarricense de Abogados for compilation and submission to the XXIII Conference of the Inter-American Bar Association.

RESOLUTION 27*

Integrated Bar

RESOLVES

To recommend the adoption of an integrated bar in countries where it does not exist in order to strengthen bar associations which monitor the effective development of the profession and the enforcement of the rule of law.

COMMITTEE XIV. THE LEGAL PROFESSION

RESOLUTION 28*

Support to the National Bar Association of Panama

WHEREAS:

The National Bar Association of Panama has drafted legislation regulating the practice of law in that country;

The aforementioned draft legislation, according to the National Bar Association of Panama, reflects the aspirations of the association and
conforms to previous resolutions and recommendations of the Inter-
American Bar Association concerning the practice of law,

RESOLVES

To support the National Bar Association of Panama in its aspira-
tions relating to the regulation of the practice of law in Panama.

Sec. B. Assistance and Social Security for Lawyers

RESOLUTION 29*

Social Security Fund for Lawyers

WHEREAS:

The basic coverage provided by agencies in charge of social security
for lawyers should be ample, total or definitive so as to provide broad
protection for lawyers and their families;

This could be achieved through a social security system operated by
public entities created by law and administered by its members;

To obtain a broader protection for lawyers, it is necessary that a
general principle be established in the pertinent legislation of each
American State to recognize services rendered in another country, by
creating a system of reciprocity that will guarantee social security
benefits to lawyers through agreements among the agencies providing
retirement benefits on the basis of non-simultaneous services and pro-
portionate to the periods recognized in each system and granted in
accordance with their respective legislation,

RESOLVES

1. To declare that social security agencies should be governed,
administered and managed exclusively by their own members in ac-
cordance with the procedures and functions established by law.

2. To recommend that compulsory systems of contributions be
guaranteed so that such contributions will be received on a regular
basis in order that the benefits granted to members will be sufficient
to cover all contingencies, including the lawyer's family.

3. To express that it is necessary to establish systems of reciprocity
in the legislation of each American State which would make it possible
to recognize non-simultaneous services rendered, which would be
proportionate to the benefits recognized in each system and granted in
accordance with the respective legislation.

4. To encourage attendance of lawyers to the III International
Congress on Social Security for Lawyers to be organized by the Insti-
tuto de Prevision Social del Abogado de Venezuela, and to urge the dissemination of information about the Congress and participation of representatives of the Inter-American Bar Association and of its pertinent Committee.

5. To recommend that there be included in the agenda for the III International Congress on Social Security for Lawyers a proposal to create an international organization to be known as “International Federation of Social Security Funds for Lawyers.”

6. To express a vote of recognition to the Caixa de Asistencia dos Advogados do Rio de Janeiro for the publication of “anales del Segundo Congreso Internacional de Seguridad Social del Abogado”; to encourage publication of an expanded and updated third edition of the Legislation and Doctrine on Social Security for Lawyers, entrusted to the Center on Interchange of Legislation and Regulations of the Social Security Systems for Lawyers and the Permanent Secretariat of the Social Security System for Lawyers, both of which are headquartered in Rio de Janeiro; and to recommend that the pertinent agencies of the American nations send to this Center copies of their laws, decrees and regulations to be utilized in said publication.

COMMITTEE XV. NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

RESOLUTION 30*

International Treaty and Specific Jurisdiction for Natural Resources

WHEREAS:

There exists throughout the world a dangerous situation caused by indiscriminate use of natural resources which creates serious modifications in environment, with imminent risk against subsistence; and there is an urgent need to find adequate and permanent solutions;

Joint and global action is required, on private and official levels, to consider the problem not only locally but also on a regional and international level;

Such action must be on very solid bases, scientifically and juridically regulated, which would permit the use of methods and experiences resulting in the utilization of natural resources in organic, biological and functional ways to satisfy the needs of the nations;

Environmental protection can only be affected through an international treaty which would provide not only standards and regulations but also pertinent penalties;
This, in turn, requires the creation of specific jurisdiction to permit proper interpretation of such international treaty, and such jurisdiction must be vested in an international organization with power and impartiality to act efficiently and with justice,

RESOLVES

1. To recommend that appropriate steps be taken to promote:
   a) Preparation of an international treaty to protect natural resources and environment.
   b) Creation of specific jurisdiction which would permit proper interpretation of such treaty.
   c) Vesting of such specific jurisdiction in an international organization with the necessary competence, power and impartiality to act efficiently and with justice.
   d) The implementation of this recommendation as soon as possible.

2. To transmit copies of this resolution to the United Nations and to the Organization of American States.

Sec. A. Energy Resources

RESOLUTION 31*

Legal Standards for the Production of Food and Energy for the Peaceful Coexistence of Nations

WHEREAS:

Natural resources for the production of food and energy constitute for mankind a source of special concern as to their rational use;

This concern confronts two defined attitudes in relation to man and his environment: one, based on the rapid development of science and technology, disregarding environmental imbalance, loss or extinction of some of such resources; the other, based on different ethical principles, seeks to preserve nature and the environment through rational use of its resources;

In the case of internationally-shared resources, projects or enterprises of individual nations directly affect co-owners of such resource and create possibility of friction and confrontation;

Possession of technology and of natural resources of energy—especially gas and oil—are used as pressure factors in all aspects of international coexistence, causing significant disadvantage to those countries which possess biogenetic natural resources for food production,
RESOLVES

1. To recommend that the legal norms relating to exploration, use and utilization of natural energy resources be conditioned to and compatible with the regulation concerning biogenetic natural resources and preservation of the environment.

2. To express hope that all projects and enterprises for exploration and use of natural resources, which may cause environmental ecological instability or eventual alteration, loss of extinction of some of such resources, be formalized in accordance with the principles of information, consultation and previous consensus regarding countries which might be affected, according to the rules of public international law.

3. To recommend that, in view of the fact that possession of technology and of natural energy resources are utilized as pressure factors in all aspects of international coexistence, cooperative undertakings be promoted and supplemented by countries which possess biogenetic natural resources for food production.

4. To transmit copies of this resolution to the United Nations, to the Missions and Delegations of the OAS Member States and to the General Secretariat of the OAS.

RESOLUTION 32*

Solar Energy

WHEREAS:

The ever increasing problems related with the worldwide energy crisis make it necessary to search for new sources of energy such as solar energy;

The utilization of solar energy lacks specific juridical rules which are necessary at an international level to permit its correct and equitable use by all nations of the World;

The proper organs of the United Nations should formulate the principles of an Agreement on this matter which would be added to the existing international legal treaties on the peaceful use of outer space, the Moon and other celestial bodies;

At a Symposium on Space Law held in Miami in April 1980, convened by the University of Miami jointly with the Latin American Air and Space Law Association, a Document entitled "The XII Tables on Solar Energy" was approved, which represents the thought of American jurists concerning the legal problems relating to the capture of solar energy in outer space and its utilization on Earth;

The principles stipulated in said Document refer, among others, to the following subjects: application of the principle of "common heri-
tage of mankind” to solar energy; solar energy should not be subject to national exclusive appropriation in outer space; the utilization of solar energy should be done in accordance with international law, including the Charter of the United Nations and other treaties or conventions relating to space; the geostationary orbit should constitute a common heritage of mankind; definition of “damage” which would include the damages that might be caused by solar energy to the environment, to air navigation or any other type of damage on earth; a preventive system to avoid damages caused by solar energy; international cooperation as a conditioning element of lawful activity in this field; participation by all countries and technical assistance to take part in the exploitation of solar energy; equal benefits to all countries; prohibition of utilization of solar energy; equal benefits to all countries; prohibition of utilization of solar energy other than for peaceful purpose, exclusively; administration of solar energy through an international agency with sufficient jurisdiction to guarantee its rational and equitable utilization,

RESOLVES

1. To recommend to the United Nations the adoption of the principles contained in the Document entitled “XII Tables of Solar Energy,” except principle IV relating to the geostationary orbit, since there is no consensus with respect to this subject.

2. To recommend the establishment within the United Nations of a technical juridical body to handle all problems pertaining to the utilization of solar energy captured in space.

3. To suggest the scheduling of periodical meetings, at governmental level, to study these problems and to prepare a common policy on this matter.

4. To suggest the creation of national technical-juridical Commissions to study national problems relating to the utilization of solar energy and to serve as liaison with the international organizations dealing with the subject.

5. To recommend enactment of legislation providing tax and credit incentives to foster the private utilization of solar energy.

Sec. B. Natural Resources

2. The Spanish text of this Document is available at the IABA Headquarters, Washington, D.C.
Resolution 33*

Establishment of an International Policy for Development of the Amazon Region

WHEREAS:

A Treaty for Amazonian Cooperation was signed in Brasilia in 1978 by Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Surinam and Venezuela, it is advisable to establish an International Integrated Plan for Development of the Amazon Region, in which the interests of each nation in particular, and of the region as a whole, be protected so as to prevent conflicts and to mobilize the resources for the development and rational and economic utilization of the Amazon region,

RESOLVES

1. That the signatory countries to the Treaty for Amazonian Cooperation signed in Brasilia on July 3, 1978, adopt as soon as possible, institutional measures to carry out what was agreed upon in such treaty, either by governmental bodies already acting in the region or by the creation of agencies as may be necessary.

2. That predatory use of renewable natural resources of the Amazon region be the object of appropriate legislation by the signatory countries, in order to provide penalties for violations and indemnities for ecological damages resulting from actions or omissions.

3. Prompt establishment of National Parks, Forestry Reservations and Ecological Sanctuaries in order to guarantee preservation of flora and fauna through representative samples of each of the regions of the Amazon.

4. Establishment of Ecological Stations throughout the Amazon region, for scientific study of flora and fauna and natural ecosystems, in order to guarantee rational utilization of the natural resources of each region without prejudice to ecological stability necessary for the preservation of natural resources now existing.

5. Establishment of an International Policy for Development of the Amazon region, based on the Treaty for Amazonian Cooperation and on the "Carta de Belem" with the purpose of executing the rational utilization planning, preservation of natural resources, research and utilization of existing natural wealth, towards the improvement of living conditions for the population in the region and its integration in the economic standard of the respective countries.

6. Affirmation of the national sovereignty of each of the signatory countries to the Treaty for Amazonian Cooperation in the utilization
and preservation of the natural resources of the region and their exclusive competence in determining the required development and ecological protection.

7. That copies of this resolution be transmitted to the signatory countries to the Treaty for Amazonian Cooperation and to the General Secretariat of the Organization of American States.

COMMITTEE XVI. HUMAN RIGHTS AND DEFENSE OF WESTERN DEMOCRACY

RESOLUTION 34*

Totalitarian or Dictatorial Regimes

WHEREAS:

Democracy requires that governments be established through free election reflecting the will of the people;

Democratic governments represent the best guarantee for the defense of human rights, within the concept of equality contemplated by their respective constitutional systems;

Any internal or external intervention intended to violate the will expressed by the majority of the people, through election, would be contrary to the democratic system and human rights,

RESOLVES

To repudiate and condemn the totalitarian or dictatorial regimes that govern by force, ignore the will of the people, deprive them of basic human rights and endeavor to perpetuate themselves in power.

RESOLUTION 35*

Coordination and Cooperation with other International Organizations

WHEREAS:

In the international sphere there are several international, regional, governmental and non-governmental organizations with special interest in the legal field,

RESOLVES

1. To recommend close coordination of the activities and programs among international organizations in order to avoid duplicity of efforts within the specific field of human rights.
2. To recommend cooperation in said activities and programs between the Inter-American Bar Association and other governmental and non-governmental international organizations.

Sec. A. Legal Status of Women

Resolution 36*

Family Courts

WHEREAS:

The family, the main foundation of the social order, requires adequate preservation, care and ample protection for the harmonious development of a country; protection provided for by the Constitutions and other laws of all American countries;

The International Pact on Social, Economic and Cultural Rights and the Pact on Civil and Political Rights, both ratified by American countries, provide in articles 10 and 23, respectively, the most ample protection to the family by the State and society;

Evolution of legal systems, especially on Family Law, is taking place in most countries of the world;

A favorable trend to create special judicial bodies to protect the family is becoming more necessary and imperative in view of the specialized attention required by the family for adequate administration of justice,

RESOLVES

1. To recommend to the governments of the American States which do not have Family Courts, to create such special judicial bodies in order that the legal problems of the family can have specialized attention and prompt administration of justice.

2. To transmit copies of this resolution to the Missions and Delegations of the OAS Member States.

PAPERS PRESENTED TO THE XXII CONFERENCE

Some 74 papers were prepared for the Conference and presented for consideration by the various Committees. The following is a list of those papers, including the names of authors.

COMMITTEE I

"The Emerging World Legal System" by William C. Moore, USA.

Sec. A.

3. Titles marked with an asterisk (*) received Honorable Mention.
“Natural Resource Development in the Oceans” by Emory C. Smith, USA.

*“The Origin and Development of the 200 Mile Exclusive Economic Zone” by William L. Schachter, Jr., USA.

Sec. B.
“Del Derecho Internacional Público Aeronáutico al Privado—El Contrato de Transporte Aéreo—de Varsovia a Guatemala con Escala en La Haya” by Miguel Angel Cevallos Hidrobo, Ecuador.

COMMITTEE II

*“Judicial Assistance in Connection with Arbitration in Canada” by L. Kos-Rabczewicz-Zubkowski, Canada.

*“Model Convention on Expatriation of Accused Persons for Trial and Sentence and Repatriation for Enforcement of Sentence” by L. Kos-Rabczewicz-Zubkowski, Canada.

“The Fusion of Public and Private International Law” by Robert J. Radway, USA.

“Future Inter-American Treaties for Promoting Judicial Cooperation—the Role of Experts in Preparing for CIDIP-III” by Peter D. Trooboff, USA.

“Obtaining Evidence in the United States for Use in Latin American Proceedings: A Practical Approach” by Joel B. Harris and Robert F. Brodegaard, USA.

“Validez Extraterritorial de las Sentencias Penales” by Tomás Horacio Ferreyra, Argentina.

COMMITTEE III

“Los Efectos Jurídicos de las Reformas Constitucionales de los Gobiernos de Facto” by José Alberto Sansone, Uruguay.

“Los Efectos Jurídicos de las Reformas Constitucionales de los Gobiernos de Facto” by Ramiro Borja y Borja, Ecuador.

“Los Efectos Jurídicos de las Reformas Constitucionales de los Gobiernos de Facto” by Tomás Horacio Ferreyra, Argentina.

“La Representación de las Minorías en los Organos de Gobierno” by Tomás Horacio Ferreyra, Argentina.

“Criterios de Referencia para la Evaluación de la Eficiencia de los Jueces” by Tomás Horacio Ferreyra, Argentina.
REPORT: INTER-AMERICAN BAR ASSOCIATION

COMMITTEE IV

"Conveniencia de un Tribunal de lo Contencioso Administrativo Internacional" by Maria Elena García y García, Mexico.

"La Justicia Administrativa" by Fransico Tinajero Villamar, Ecuador.

Sec. A

**“Legislación sobre Vivienda: Iniciativa Privada y del Estado; Propuestas Legislativas para Incrementar la Construcción de Vivienda; Aspectos Político, Social y Económico de la Actividad Habitacional” by Eduardo L. Gregorini Clusellas, Argentina.

COMMITTEE V

"Cooperación Judicial Interamericana: Una Ley Uniforme de Reciprocidad para la Ejecución de Sentencias Judiciales Imponiendo la Obligación de Prestar Alimento” by Pedro F. Silva Ruiz, Puerto Rico.

COMMITTEE VII—Sec. C

**“Inconveniencia de Expresar el Capital Accionario en los Estatutos de las Sociedades Anónimas” by José María Videla del Mazo, Argentina.

**“Delitos Societarios” by José María Videla del Mazo, Argentina.

**“Sindicación de Acciones” by Victor Zamenfeld, Argentina.

**“Sindicación de Acciones” by Ana Isabel Piaggi de Vanossi, Argentina.

"Condiciones Básicas para un Estatuto de Sociedades Mixtas Mineras” by Jesús Antonio Rivera Ore, Perú.

"A Regulamentação Jurídica do Acordo de Accionistas No Brasil” by Waldirio Bulgarelli, Brazil.

COMMITTEE VIII

**“The Transfer of Civil Prisoners by Treaty in the Americas” by Richard W. Peterson, USA.

COMMITTEE IX

**“Desarrollo del Derecho Internacional Humanitario a Través de los Protocolos Adicionales a las Convenciones de Ginebra de 1949” by Col. Carlos Horacio Cerdá, Argentina.

"The Protection of Civilians Under the Humanitarian Law of the Geneva Conventions of 1949" by Sally V. Mallison, USA.


"Dissemination as a Method to Promote Compliance with International Humanitarian Law Applicable in Armed Conflict" by Maj. Richard J. Erickson, USA.

"Cruz Roja y Fuerzas Armadas en la Atención de Desastres en Latinoamérica" by Carlos Martínez Sáenz, Colombia.

"Role of United States Military in Hemispheric Disaster Assistance" by Raymond W. Konan, USA.

"The Role of the Military Law of War Advisor" by W. Hays Parks, USA.

COMMITTEE X

"El Instituto Auxilio de Cesantía" by Augusto Duarte, Paraguay.

COMMITTEE XI

"Los Tributos y Sus Límites" by Carlos A. Mersán, Paraguay.

"Panorama sobre el Derecho Tributario" by José Vicente Troya Jaramillo, Ecuador.

"El Abuso del Derecho en la Creación, Aplicación y Exigencia de Tributación" by Luis Carlos Rodrigo Mazuré, Perú.

"O Sistema Tributario e o Principio de Capacidade Contributiva" by Dejalma de Campos, Brazil.

"Presencia de los Principios de Procedimiento Administrativo en las Normas del Código Tributario Ecuatoriano" by Francisco Tinajero Villamar, Ecuador.

"The Foreign Investment in Real Property Tax Act of 1980" by John L. Gornall, Jr., USA.

COMMITTEE XII

"De la Creación del Tribunal de Justicia en el Acuerdo de Cartagena" by Alfredo Hanna Musse, Ecuador.4

4. Best Paper Award.
**“Esquema General del Régimen Jurídico de la Inversión Extranjera en el Ecuador” by Juan Carlos Bustamante, Ecuador.**

**“Algunas Reflexiones sobre la Política de Competencia y la Integración Económica” by James Leavy, Canada.**

**“Incentivos para la Inversión en el Ecuador” by Fransisco Roldán Cobo, Ecuador.**


**“The Jurisdiction of the Court of Justice of the Andean Group” by Yolanda Rangel, Canada.**

“Global Consciousness: The 80’s Approach to Development” by Brenda J. Goodman, USA.

“Soluciones Jurídicas Latinamericanas para el Energía en la Década del 80” by Miguel Cualaciati, Argentina.

“Economic Development, Income Distribution and Legal Aid: Preliminary Diagnosis” by Luis Bates, Chile.

“Problemas de la Integración de Redes Eléctricas en la Cuenca del Plata” by J. Eliseo Da Reca, Argentina.

“La Integración en el Transporte Aéreo” by Alvaro Bauzá Araujo, Uruguay.

**“La Cooperación Nuclear: Puntos de Partida” by María Hebe Jaureguiberry, Argentina.**

“La Cooperación Jurídica Interamericana ante los Obstáculos en el Campo de la Energía Nuclear” by Guilhermina Lavos Coimbra, Brazil.

“Business Activities by Foreigners under the Present Legal Environment of Central America” by Salvador Juncadella, USA.

“Transferencia de Tecnología” by José Rafael Bustamante, Ecuador.

“Investment, Technology, Development and Integration in Latin America: Reappraisal of the Past 25 Years and Prognosis for the 80’s” by Robert J. Radway, USA.

Sec. A

**“Régimen de Promoción Industrial para Países en Desarrollo” by Miguel Mario Costa, Argentina.**
COMMITTEE XIII

“La Enseñanza del Derecho Asistida por Computador” by Hugo Mena Ruiz, Ecuador.

COMMITTEE XIV

Sec. A
“Presupuestos para un Código de Ética Profesional” by Adolfo Gelsi Bidart, Uruguay.

Sec. B.
“Asistencia y Seguridad Social para Abogados y sus Familiares” by Jorge Luis Santana, Argentina.

COMMITTEE XV

*“Una Jurisdicción Fiscal para el Derecho Ambiental?” by Eduardo A. Pigretti, Argentina.

“Necesidad de Promover una Legislación Internacional y Crear una Jurisdicción Específica” by Beatriz F. Dalurzo, Argentina.

Sec. A
“Régimen Jurídico de la Producción de Alimento y Energía para la Armónica Coexistencia de las Naciones” by Oscar Guillermo Olguín, Argentina.

*“Régimen Jurídico de la Energía Solar” by Pedro F. Silva Ruiz, Puerto Rico.

*“Régimen Jurídico de la Energía Solar” by Alvaro Bauzá Araujo, Uruguay.

*“Régimen Jurídico de la Energía Solar” by María del Lujan Flores de Sapriza, Uruguay.

“Responsabilidad Civil Nuclear” by Paulo Van Dursen, Brazil.

Sec. B
*“Convenciencia de Fomentar Compañías Mineras Mixtas en las Cuales Participe el Estado como Socio” by Julio G. Campillo Pérez, Dominican Republic.

“Natural Resource Development in the Oceans” by Emory Clark Smith, USA.

“Problemática de Algunos de los Principales Recursos Naturales del Perú” by Jesús Antonio Rivera Oré, Perú.
“A Problemática de Amazónia—Necessidade de um Esforço Internacional para sua Exploração Racional” by Lycia Amaral Mello, Brazil.

COMMITTEE XVI

**“El Desarme en América” by Bernardo Jaramillo Sáenz, Ecuador.**

“Los Derechos Humanos” by Jesús Antonio Rivera Oré, Perú.

“El Principio de Igualdad de los Sexos en la Constitución y otros Cuerpos Legales del Ecuador” by Ximena Moreno de Solines, Ecuador.

Sec. A.

“The Role of Inter-Governmental Agencies in Obtaining Legal Rights for Women” by Marijane Eastman Peplow, USA.

“Breve Visión de la Situación Jurídica de la Mujer en el Ecuador” by Luzmila Rodríguez de Troya, Ecuador.