Inter-American Bar Association

J. O. Dahlgren

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XX CONFERENCE — ATLANTA, GEORGIA

The XX Conference of the Inter-American Bar Association will be held in Atlanta, Georgia, April 30 to May 7, 1977, as invitees of the State Bar of Georgia and the Atlanta Bar Association. The central theme and topics to be discussed by the various Committees during the Conference and approved by the Council as its meeting in Asunción, Paraguay, April 21-24, 1976, will be published in the October issue of the Lawyer of the Americas.

XIX CONFERENCE — CARTAGENA, COLOMBIA

The texts of the Resolutions approved by the XIX Conference of the Association, held in Cartagena, Colombia, September 30 to October 3, 1975, are as follows:

RESOLUTIONS, RECOMMENDATIONS AND DECLARATIONS
XIX CONFERENCE OF THE INTER-AMERICAN BAR ASSOCIATION

September 27 — October 3, 1975

Cartagena, Colombia

COMMITTEE I. PUBLIC INTERNATIONAL LAW

Section D.—Inter-American Air Law

Resolution 1

*Environmental effects from aircraft engine emissions in the stratosphere*
CONSIDERING:

That there is a growing concern that aircraft engine emissions in the stratospheric operation of aircraft, both subsonic and supersonic, causing a reduction of the ozone shield about the Earth, resulting in increasingly harmful biological radiation at ground level as aircraft fleets become larger, and resulting in possible climatic and agricultural effects.

RESOLVES

1. To urge that all States and concerned international and other organizations, both governmental and non-governmental, be alerted to the existence of potentially serious effects from aircraft engine emissions in the stratosphere;

2. To urge all States, and concerned international and other organizations, to review applicable studies and to undertake further research and studies to enhance the state of knowledge in the pertinent sciences so as to reach appropriate solutions at the earliest possible date;

3. To request the appropriate Committees of the Inter-American Bar Association to continue to take cognizance of and to study the subject of this resolution and undertake further discussion thereof at the XX Conference of IABA.

COMMITTEE H. PRIVATE INTERNATIONAL LAW

*Res. 2

Ratification of Conventions
approved by the first Inter-American Specialized Conference on Private International Law (CIDIP-I)

CONSIDERING:

That the first Inter-American Specialized Conference on Private International Law (CIDIP-I), held in Panama City, Panama, from January 14-30, 1975, with the efficient cooperation of the government of that

(*) Resolutions marked with an asterisk are translations of the original text.
country, approved six conventions on the following topics: conflict of laws concerning bills of exchange, promissory notes, and invoices; conflict of laws concerning checks; international commercial arbitration; letters rogatory; taking of evidence abroad; and legal scope of powers of attorney to be used abroad;

That at its fifth regular session held in May 1975, the General Assembly of the Organization of American States stated that the adoption of these six conventions represents a great success for the Inter-American System because it starts the updating of the standards on private international law in the Americas (resolution AG/RES. 187 (V-O/75);

That the efficient and valuable collaboration given to CIDIP-I by the Inter-American Juridical Committee and the General Secretariat of the OAS should be emphasized;

That in view of the excellent results of CIDIP-I, the General Assembly of the OAS, by the resolution cited, decided to convolve the second Inter-American Specialized Conference on Private International Law (CIDIP-II) to be held in Uruguay at a date to be established by the Permanent Council of the OAS;

That the six above mentioned conventions have been signed by the majority of the Member States of the OAS and, furthermore, that they are open for accession by any other State;

That it should be noted that the Government of Ecuador recently ratified five of the six conventions referred to, giving an excellent example of full support to the initiative of updating the standards on private international law in the Western Hemisphere;

That it would be useful for the American States which have not done so to sign the six conventions and for all the signatory countries to take, as soon as possible, the pertinent steps for their ratification;

That it would also be very useful for other States to adhere to the above mentioned conventions, due to the fact that they are an updating of Private International Law in the Americas, which reconciles many differences between the Latin American legal system and the common law,

RESOLVES

1. To urge the member associations and the individual members of the Inter-American Bar Association (IABA) to take, in their respective
countries, the necessary steps with the governments to have them sign or ratify the following six conventions approved by the first Inter-American Specialized Conference on Private International Law held in Panama City, Republic of Panama, in January 1975:

a) Inter-American convention on conflict of laws concerning bills of exchange, promissory notes, and invoices.

b) Inter-American convention on conflict of laws concerning checks.

c) Inter-American convention on international commercial arbitration.

d) Inter-American convention on letters rogatory.

e) Inter-American convention on the taking of evidence abroad.

f) Inter-American convention on the legal scope of powers of attorney to be used abroad.

2. To indicate that the prompt ratification of the said conventions will constitute an important step toward the improvement of inter-American relations, and that the accession to the conventions by other States will facilitate relations between American and non-American States.

3. To request the Secretary General of the IABA to transmit copies of this resolution to the Secretary General of the OAS, to the Missions and Delegations of the Member States of the OAS as well as to those of the States which have permanent observer status in the OAS.

4. To declare that the IABA will lend all its support and collaboration in order that CIDIP-II will constitute, as CIDIP-I, a great success in the advancement of private international law in the Western Hemisphere.

*Res. 3

Suggestions concerning the second Inter-American Specialized Conference on Private International Law (CIDIP-II)

CONSIDERING:

That in view of the excellent results produced by the Inter-American Specialized Conference on Private International Law held in Panama City, Republic of Panama, January 14-30, 1975, the General Assembly of the OAS decided to convocate a second Inter-American Specialized Conference
on Private International Law (CIDIP-II) which will take place in Uruguay on a date and with the agenda to be determined by the Permanent Council of the OAS;

That it would be advisable that before this Specialized Conference takes place, five to seven specialists in Private International Law meet in order to do preliminary studies on the topics which will be considered by the Conference, and that such studies serve as working documents for the Inter-American Juridical Committee in the preparation of reports and draft conventions referred to in General Assembly resolution AG/RES 187 (V-0/75) which convened CIDIP-II;

That, in the context of international judicial cooperation in the Americas, it is of the utmost importance that the following topics be studied so that agreements may be reached regarding these points: 1. Recognition and enforcement of foreign judgements: a) regarding civil, commercial, and labor matters; b) regarding family law; 2. Compliance with preventive measures adopted in judicial proceedings in civil, commercial, and labor matters; 3. Proof of foreign law and information on legal standards in force in the American countries; 4. Conflict of laws and uniform law on checks of international circulation referred to in Resolution I of CIDIP-I; 5. General Standards on Private International Law.

RESOLVES

1. To suggest to the General Assembly of the OAS that it recommend the Secretary General of the Organization to convene from five to seven specialists in Private International Law, in the place and on the date he deems appropriate for the purpose of preparing preliminary studies on the topics that will be considered in CIDIP-II. These studies would serve as working documents for the Inter-American Juridical Committee in the preparation of the reports and draft conventions referred to in the General Assembly Resolution which convened CIDIP-II.

2. To express to the Permanent Council of the OAS the desire and concern of the Inter-American Bar Association that the following topics, of current importance in inter-American relations, be considered by CIDIP-II:

   a) Recognition and enforcement of foreign judgements:
      i) regarding civil, commercial, and labor matters,
      ii) regarding Family Law
b) Compliance with preventive measures adopted in judicial proceedings in civil, commercial, and labor matters;

c) Proof of foreign law and information on legal standards in force in the American countries;

d) Conflict of laws and uniform law on checks of international circulation referred to in Resolution I of CIDIP-I;

e) General Standards on Private International Law.

3. To request the Secretary General of the Inter-American Bar Association to send copies of this resolution to the Secretary General of the OAS, to the Missions and Delegations of the member states of the Organization, as well as to the countries with a status of permanent observers in the OAS, for their information.

COMMITTEE III. CONSTITUTIONAL LAW

*Res. 4

Impeachment

CONSIDERING:

That the vagueness of the grounds specified in the Constitutions of many American states for impeachment of the Chief Executive or other executive officers or members of the judiciary before a Senate or some other legislative body could possibly lead to abuses of the Legislative Branch and that such vagueness could lead to the removal of an officer from office without just cause simply because he does not have the confidence of the majority in such Branch;

That a political body such as the Senate or some other legislative body can, only with the greatest difficulty, impartially judge a political ally or a political enemy,

RESOLVES

To recommend that the American states whose Constitutions contain impeachment provisions, specify therein, with precision, the grounds for
impeachment, and that they further specify that the body authorized to try such cause be the Supreme Court or an *ad hoc* independent judicial body.

COMMITTEE IV. MUNICIPAL LAW

Sec. A. Housing and Urban Law

*Res. 5

Urban law

CONSIDERING:

That the urban problem presents specific characteristics within the developing American countries due to various factors, such as the distribution of wealth, migration from rural to urban areas and the ownership of urban property;

That it is necessary that the urban problem in Latin American countries be developed in the legislative, juridical, educational and administrative aspects, so that human coexistence in the use of space is governed by standards that correspond to the individual way of life of the said countries;

That traditional legislative guidelines may not be sufficient to resolve the urban problem and that new institutions may be required to provide adequate legal solutions to these problems,

RESOLVES

1. To recommend the compilation, systematic analysis and codification of laws which govern the urban problem.

2. To recognize that urban and regional planning must be the basis for the structure of urban law.

3. To recommend:

   a) That control measures on urban activity should not be limited to the control and supervision of the private sector, but should also
be orientated toward control of the public sector regarding the implementation of urban and regional planning in order to avoid the defects that such standards have revealed;

b) The creation of specific institutions on national, state and municipal levels, dedicated to regional and urban planning and that these institutions should be of ministerial level in the national government.

c) The study of tax collection measures in order to compare them with the benefits and charges generated by regional and urban planning, and the implementation of works on infrastructure, equipment and services.

d) The creation of courts dealing with actions under administrative laws that will resolve the conflicts that arise between the government and individuals, in order to harmonize the efficiency of the state urban activity and the legal safeguards of the private interests.

e) That in the programs of the law schools in Latin America an optional course on urban law be established, and that such course include, in addition to an analysis of standards and doctrines, a study of economic and social sources of this subject.

COMMITTEE V. CIVIL LAW

Section A. Law of the Person and of the Family

*Res. 6

*Law on Inter-State reciprocity on support obligation*

CONSIDERING:

: The social importance of the obligation of family support in the American countries;

: The ease with which residence from one country to another may be changed;

: The difficulty of enforcing support obligations internationally;
The means of cooperation and reciprocity contained in the Uniform Reciprocal Enforcement of Support Act (URESA) of the United States and in the Reciprocal Execution of Maintenance Orders Act (REMOA) of Canada, which stipulate that the State appealed to is responsible for execution of the orders of the State where the person to whom the support is awarded resides,

RESOLVES

1. To recommend the dissemination of information concerning the success of the Uniform Reciprocal Enforcement of Support Act (URESA) of the United States, and the Reciprocal Execution of Maintenance Orders Act (REMOA) of Canada.

2. To express the desire that national or local legislative bodies provide information about their laws similar to URESA and REMOA or enact Laws on the subject, in accordance with their own legal systems so that reciprocity among the said countries may be achieved.

Section B. Law of Personal Property, Obligations and Contracts

*Res. 7

Consumer protection legislation

CONSIDERING:

That consumer product standards constitute a juridical concept formulated to satisfy modern socio-economic needs, to which traditional contract law does not apply;

That improvement of socio-economic conditions of the majority of the population of the American countries is a requisite for democracy, and the fair distribution of national income should be sought so that anti-social growth of producer/middle-man profits will be prevented in order to obtain full participation in economic resources and that one method to achieve this is consumer protection legislation,

RESOLVES

To express the desire that each American country promulgate consumer protection legislation establishing rules on civil responsibility of
producers, public and private, for damages caused by their products intended for sale or distribution, or by their methods of marketing such products.

*Res. 8

Comparative Law

CONSIDERING:

That among the goals of the Inter-American Bar Association is "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";

That the object of comparative law is the study of World legal systems and the interpretation and application of such sources by the comparative method in order to identify similarities and differences and classify the legal systems and to seek unification;

That in the American countries there exist two systems of law "civil law" and "common law," each of which has its special characteristics;

That comparative solutions for social problems call for a solid foundation in comparative law, permitting not only comprehension of diverse juridical concepts but also fostering unification and harmonization within the legal concepts of each system,

RESOLVES

1. To recommend that members of the Inter-American Bar Association actively encourage elective courses in comparative law in the curriculum of Law Schools in their respective countries.

2. To recommend increased exchange of law professors among universities of the American countries.

3. To recommend expansion of fellowship programs of national and international organizations in the field of comparative law.

4. To recommend that the Inter-American Bar Association support the American Bar Association lawyer exchange program for practicing attorneys.
CONSIDERING:

That technological activity in the developing countries is important for the cultural and economic well being of the American nations; that transfer of technological information and know-how, particularly in connection with the licensing of industrial property rights is an important factor for research and for the development of inventions to bring their benefits to the consuming public;

That the Paris Convention for the Protection of Industrial Property has facilitated for more than 90 years, and now with a membership of 80 nations continues to facilitate, international transfer of technology,

RESOLVES

1. That the IABA take an active role in the dissemination of information regarding the Paris Convention on the Protection of Industrial Property, and its possible benefits for the American nations.

2. That IABA should study, along with other interested international associations or organizations, possible changes in the text of the Convention, particularly for the benefits of the developing countries.

3. That the IABA should be represented, as an observer, at forthcoming meetings of such international associations or organizations regarding any proposed revision of the text of the Paris Convention.

CONSIDERING:

That the theme of the XIX Conference of the Inter-American Bar Association is concerned with the juridical aspects of Latin American Eco-
nomic Integration and, furthermore, that Industrial Property rights are a substantial part of any plan for economic integration,

RESOLVES

1. To reaffirm the principle that patents, trade marks and other forms of industrial property are rights that should be protected by national laws and regional agreements of the Americas.

2. To further reaffirm the principle that the licensing of industrial property rights in accordance with guidelines established by national law, constitutes a legitimate use of such property rights.

3. To express the view that the adoption or modification of national laws, regional agreements and treaties in defense of economic and political interests should be considered in a context that gives due recognition to the legitimate rights and interests of the proprietors of industrial property.

COMMITTEE VI. CIVIL AND COMMERCIAL PROCEDURE

Section A. Inter-American Commercial Arbitration

*Res. 11

*Inter-American Convention on International Commercial Arbitration

CONSIDERING:

That on January 30, 1975, in the City of Panama, at the Inter-American Specialized Conference on Private International Law, held under the auspices of the OAS, the Inter-American Convention on International Commercial Arbitration was signed by the Governments of Brazil, Colombia, Costa Rica, Chile, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Uruguay and Venezuela;

That the Convention establishes the framework for an effective and uniform system of international commercial arbitration in the Western Hemisphere facilitating the prompt, efficient and inexpensive settlement of international commercial disputes;

That it is most desirable that all the American countries sign and ratify the Convention,
RESOLVES

To request the bar associations of the American countries and the individual members of the Inter-American Bar Association to urge their respective governments to sign, if they have not already done so, and ratify the OAS Inter-American Convention on International Commercial Arbitration.

*Res. 12
Appointment of Arbitrators

CONSIDERING:

That it is of utmost importance to revise the standards of international commercial arbitration in the Americas in order to give judges the power to appoint arbitrators in the event of refusal of parties to make such appointment,

RESOLVES

To urge the member associations and individual members of the Inter-American Bar Association to promote the granting to judges of the power to appoint arbitrators when parties do not do so by mutual agreement.

COMMITTEE VII. COMMERCIAL LAW

Section F. Communications

Res. 13
Interchange of information relating to telecommunications legislation

CONSIDERING:

That the “Permanent Technical Committee III: Resources,” of the Inter-American Telecommunications Conference (CITEL), at its meeting in September 1974 at Quito, Ecuador, recognizing the need for member countries to have timely and effective information support in developing
their telecommunications plans suggested that CITEL make the following recommendation to the governments of the respective member countries: the establishment in each country of an information center or clearing-house specializing in the technical, scientific, administrative and social-economic aspects of telecommunications, which would furnish such information to the Latin American Telecommunications Information Center (CILAT), with headquarters in Mexico City;

That the Inter-American Bar Association believes that the establishment of the recommended information clearinghouses and transmission of information to CILAT would be of inestimable value in the development of communications in the Americas, but believes that the full value thereof can be realized only if, in each instance, authentic copies of the pertinent international agreements, telecommunications laws, and related laws, and regulations, which form the basis of telecommunications systems, are also made a part of this body of information,

RESOLVES

To urge the Second Conference of CITEL which is to take place in Rio de Janeiro, Brazil in November 1975 to adopt the aforementioned recommendation and in so doing, to include in the recommendation that the information assembled by the clearinghouses in each member country, to be forwarded to CILAT, include authentic copies of the pertinent international agreements, telecommunications laws and related laws and regulations, and any amendments thereto of each member country.

Section G. Capital Markets

*Res. 14

Comparative study

CONSIDERING:

That in most countries of the hemisphere it is more important to promote capital markets than to regulate them;

That there are many national and international organizations concerned with the problems involved in the promotion of capital markets;

That the defense of private interests is one of the basic functions of the lawyer.
RESOLVES

1. That Section G. Capital Markets, Committee VII, be entrusted with the preparation of a comparative study of the judicial and administrative remedies that the countries of the hemisphere have made and may make available to the private investor for the protection of his intra-corporate rights.

2. That the Chairman and Co-Chairman of Section G., Committee VII, be charged with seeking the participation in this study of representatives of several countries, including as a minimum Brazil, Mexico, Argentina, Colombia, Venezuela and the United States.

3. That this study, together with such recommendations for reforms as common experience may show to be beneficial, be presented at the next Conference of the Inter-American Bar Association.

COMMITTEE VIII. CRIMINAL LAW AND PROCEDURE

*Res. 15

Hijacking

CONSIDERING:

That in the enforcement of penalties for the crime of hijacking, there must be an adjustable scale that takes into account the protection of the guaranteed rights of the individual and the different forms of crime;

That in this type of crime it is advisable to speed up the proceedings in order to expedite as rapidly as possible without, however, infringing upon constitutional guarantees;

That the signing of bilateral treaties between countries is imperative in order to repress the crime of hijacking aircraft and that priorities in the areas of competence and jurisdiction must be specified explicitly in such treaties; that problems that have hindered the ratification of international treaties must be solved as expeditiously as possible; that in the event that such bilateral treaties are not signed, this type of crime must be included in the penal legislation of each country, but such legislation would not preclude the possibility of multilateral action by the Organization of American States,
RESOLVES

That the crime of hijacking should be considered as a violation of the individual's rights as well as a crime against property (the aircraft) and most important, as a crime against the safety, freedom and life of the people aboard the aircraft.

COMMITTEE X. FISCAL LAW

Section A. Taxation

*Res. 16

Tax credits for fiscal incentives

CONSIDERING:

That there are no income tax treaties between any of the major commercial countries of Latin America and the United States;

That an important reason for this situation is that in the past the United States has been unwilling to grant credits against its income tax for incentives allowed by countries of Latin America in the form of reduction of their income tax rates;

That stimulation of the economic growth of Latin American countries by encouraging United States investment in such countries and by licensing of United States patents and knowhow in such countries is important not only to such countries but also to the well-being of the United States,

RESOLVES

To suggest to the government of the United States that it reconsider its past position so that in the future it may enter into income tax treaties with Latin American countries which will contain tax incentive credit clauses that will allow credits against United States income tax for tax incentive reductions in the rates of general income taxes imposed by Latin American countries.
Committee XI. Legal Aspects of Development and Integration

Section A. Legal Aspects of Economic Development and Integration

*Res. 17

Studies toward development of appropriate legal standards for transnational enterprises.

Considering:

The growing importance of the problem of transnational enterprises has given rise to study and regulation thereof in several international forums, including the Organization of American States;

The participation of jurists in these efforts is imperative to ensure the legal regulation of these enterprises operating in the international field, through whatever method is deemed most appropriate to reach this goal;

The Inter-American Bar Association can significantly contribute to this task through the preparation of studies, projects and other papers that are relevant to the legal aspects of transnational enterprises,

RESOLVES

1. To urge all member associations and individual members of the Inter-American Bar Association to make studies toward development of appropriate legal standards for transnational enterprises and, through the governments of their respective countries, to transmit such studies to the various international groups which are presently studying this subject.

2. To stimulate, through appropriate channels, the granting of awards, scholarships and other incentives which encourage legal research and publication of legal studies with the sponsorship of the Inter-American Bar Association being indicated.

Res. 18

Study of the Legal Aspects of Integration and Development
CONSIDERING:

The need to promote and encourage the study and investigation of subjects related to the legal aspects of integration and development for the improvement of application of standards governing the process of development in the Latin American countries;

That the study and investigation of such important subjects ought to be encouraged on a permanent basis not alone by the members and committees of the Inter-American Bar Association, but also, in the law schools of the American countries in which the law of integration should form a part of the program of studies, and also in special committees of the member associations of the inter-American Bar Association;

That the Inter-American Bar Foundation could foster the creation of incentives such as prizes and awards to promote and encourage these studies,

RESOLVES

1. To recommend that the Inter-American Bar Foundation seek appropriate means and forms for the promotion of study and investigation at the levels referred to above.

2. To communicate with the deans of the law schools of the American countries inviting them to cooperate in awakening in their students interest in the legal aspects of the subjects of integration and development.

3. To communicate likewise with the member associations of the Inter-American Bar Association, urging the appointment of special committees to encourage the aforementioned studies.

*Res. 19

Foreign Capital and Technology

CONSIDERING:

That access to foreign capital and technology is an essential element in the effective development of the national economy of the American States;
That the necessary regulation of investment of capital and transfer of technology can, if carried beyond certain limits, discourage and even impede the transfer thereof;

That the Inter-American Bar Association is in favor of constructively exploring means for identifying and harmonizing the interest of the host countries and of capital investors and transferors of technology;

That such need is fully acknowledged in the Charter of Bogotá, in the Declaration of Punta del Este, and in the Cartagena Agreement, to mention only a few international documents where this point is made;

That decision No. 24 and other documents that refer to these matters concerning the countries of the Andean Pact contain regulations that may contradict the spirit of the aforementioned Agreement and documents; and that experience in the enforcement of such regulations has shown that these can hamper foreign investment and foreign technology which could be beneficial to the development of these countries,

RESOLVES

To recommend that appropriate measures be undertaken by the member associations of the Inter-American Bar Association to bring to the attention of the American States the desirability and usefulness in the developmental process of acquiring foreign private capital and technology in a manner consistent with the national interests and goals of such states; and, consequently, the desirability of undertaking the necessary study and review of pertinent provisions of regional decisions, national legislation and the implementation thereof with a view to stimulating and encouraging private sector participation in the developmental process through the importation of needed capital investment and the transfer of technology.

COMMITTEE XIII. LEGAL DOCUMENTATION

*Res. 20

Exchange of Texts of Legislation

CONSIDERING:

That it is difficult to obtain copies of the legislation of foreign countries;
That the holding of the meetings of the Inter-American Bar Association promotes intercommunication among lawyers.

RESOLVES

To recommend that in all IABA Conferences there be established an exchange of texts of legislation, and that for this purpose participants should take copies of the codes and statutes of their own countries for exchange purposes.

COMMITTEE XIV. ACTIVITIES OF LAWYERS

Section A. Professional Standards of Conduct

*Res. 21

Professional Ethics

CONSIDERING:

That one of the objectives of the Inter-American Bar Association is to foster the dignity of the profession;

That it is advisable that professional ethics be included in the law courses;

That in 1949 a draft Code of Professional Ethics was submitted for examination to the VI IABA Conference;

That only a few countries adopted the standards outlined in this draft Code.

RESOLVES

1. To recommend that all of the members of the Inter-American Bar Association promote the inclusion of Professional Ethics courses as a compulsory subject in the program of studies in the law schools of their respective countries.

2. To recommend to the members of the Inter-American Bar Association that they seek the adoption of a code of Professional Ethics by their respective Bar Associations.
COMMITTEE XV. NATURAL RESOURCES

Section C. Environmental Law

Res. 22

Environmental protection

CONSIDERING:

That pollution of our common natural resources, oceans and atmosphere constitutes a threat to present and future generations of mankind;

That each nation seeks as one of its ultimate goals its well-being;

That there are environmental protection standards which can be established by law for the benefit of all,

RESOLVES

1. To recommend to the American countries that they negotiate environmental protection standards to safeguard for present and future generations the common natural resources.

2. To urge international organizations to establish environmental protection data banks which provide a source of technological means available to the American countries for solving or ameliorating environmental problems.

COMMITTEE XVI. SPACE LAW

Res. 23

Technology of the Remote Sensing of the Earth

CONSIDERING:

That the present state of technology in the use of satellites for remote sensing of the earth and its environment has demonstrated the many benefits to be derived therefrom for all nations of the earth;

That further technological progress is being made;
That there are many attendant legal problems being studied on which no consensus for international agreement has as yet been reached,

RESOLVES

1. To recommend that the Inter-American Bar Association endorse the continuation of international cooperation in the furthering of research on remote sensing technology and the attendant legal problems.

2. To request the Secretary General of IABA to transmit copies of this resolution to appropriate intergovernmental organizations as well as to private and public national and international institutions.

COMMITTEE XVII. MILITARY LAW

*Res. 24

Illegal Use, Possession, and Traffic in Narcotic Drugs

CONSIDERING:

The studies presented before Committee XVII on Military Law, on the judicial measures that should be adopted by the Armed Forces against the illegal use, possession, and sale of drugs and similar substances to their members,

RESOLVES

1. To recommend to the governments of the American countries the adoption of the necessary measures to achieve:

   a) The prevention of the illegal use and possession of, and traffic in, narcotic or psycho-tropic drugs by the members of their Armed Forces.

   b) The establishment of specific crimes and corresponding penalties for those members of the Armed Forces involved in the above actions.

   c) The creation of centers of medical treatment and of rehabilitation to make possible the return of members of the Armed Forces to a normal active duty or their integration into civilian life under normal conditions.
2. To formulate similar recommendations, insofar as pertinent, to the Organization of the American States.

3. To recommend to the Governments of the American countries the ratification of the Vienna Convention of 1971 on traffic in drugs.

*Res. 25

Legal status of women in the Armed Forces

CONSIDERING:

The papers on the legal aspects of the role of women in the Armed Forces of the hemisphere, presented to Committee XVII. Military Law, at the XIX Conference of the Inter-American Bar Association,

RESOLVES

To recommend to the governments of the American countries that women be awarded the same legal status including pay, benefits and promotion opportunities in their Armed Forces, as are given their male members.

COMMITTEE XVIII. HUMAN RIGHTS

*Res. 26

Discrimination and the Rights of Women in America

CONSIDERING:

That in this XIX Conference of the Inter-American Bar Association, the Inter-American Bar Foundation has sponsored a Seminar on the Legal Status of Women in America;

That the Human Rights Committee of this XIX Conference has cosponsored the Seminar and has focused its activities on the subject of women's rights;

That in order to intensify whatever action is required at an international level to achieve equality between men and women and complete
integration of women to total development, the United Nations declared 1975 as International Women’s Year;

That the countries represented in this XIX Conference, with the exception of Puerto Rico and those other countries which are not members of the United Nations because of their present political status, have approved the Declaration on the Elimination of Discrimination Against Women adopted by the United Nations the 7th of November of 1967;

That the Ilustre Colegio de Abogados de Puerto Rico adopted on the 18th of July, 1975, an Official Proclamation on the Rights of Women;

That equality of human rights cannot be achieved within the context of socio-economic, political and cultural conditions which develop, promote or perpetuate the oppression of some human beings by others;

That lawyers are specially committed to the attainment of the elimination of human inequalities, and are in a privileged position because of their education and vocation, to contribute to the elimination of discrimination, against women;

That equality of men and women will promote the achievement of peace and the development of our respective countries,

RESOLVES

1. To reaffirm its adherence to the Resolutions of the United Nations and of the Organization of American States disapproving discrimination against women and recognizing the need to adopt measures which will make possible the realization of equality between the rights of men and women.

2. To recommend that its member associations and individual members support all initiatives that may be undertaken in the American countries with the purpose of realizing the objectives of these resolutions and other international instruments, independently of the origin of the aforesaid initiatives and of the political organization of the countries where they originate.

3. To recommend that its member associations and individual members promote all measures directed towards the elimination of the inequalities of women in America and toward the creation of those conditions on a personal and community level which may promote this equality.
*Res. 27

Seminar on the legal status of women

RESOLVES

To request the Secretary General of the Organization of American States that, taking into account the conclusions arrived at by the Seminar on the Legal Status of Women in the Western Hemisphere, held in Cartagena, Colombia during the XIX Conference of the Inter-American Bar Association from September 27 to October 3, 1975, he propose to the pertinent agencies of the Organization of American States to hold meetings of experts on family law in American countries, in order to make a careful study of the matter and to recommend the reforms and other measures that are deemed necessary to eliminate any de facto and de jure discrimination that still exists in each country. The reports of the meetings of experts on family law should be transmitted to the Inter-American Commission on Human Rights which has competence to make the pertinent recommendations to the Governments.

*Res. 28

Topic for XX Conference of IABA

RESOLVES

1. That the agenda of the XX Conference of the IABA include the issue “The Legal Status of Women” so as to review the achievements that have been made in this area.

2. To create a sub-committee of the Permanent Committee on Human Rights (Committee XVIII) which would be dedicated to the study of the legal status of Women in the American countries.

*Res. 29

Human rights

CONSIDERING:

That Article 1 of the Constitution of the Inter-American Bar Association establishes that one of the objectives of the Association is to ensure
the preservation and defense of human rights and liberties and to guaran-
tee to the peoples of the Hemisphere the free exercise of their Civil and
Political rights according to the democratic principles upon which these
nations were founded;

That the XVIII Conference of the Inter-American Bar Association,
held in Rio de Janeiro in 1973, agreed to recommend to "the members
of the Association that they analyse and review the laws of their own
countries concerning those aspects that affect the rights proclaimed by the
United Nations, so as to continue considering this matter at the XIX
Conference of the Association";

That the Delegation of the Ilustre Colegio de Abogados de Puerto
Rico has submitted for the XIX Conference of the Inter-American Bar
Association's consideration, the text of the resolution approved by the
General Assembly of the Ilustre Colegio de Abogados de Puerto Rico dated
September 6, 1975,

RESOLVES

1. To reject any violation by any nation of the American Continent
of those human rights guaranteed in the Declaration of Human Rights of
the United Nations and the Declaration of Human Rights of the Americas
of the OAS.

2. To declare that among those human rights of every citizen is
included the fundamental right of defense, with necessary procedural
guarantees.

3. To affirm its support for the resolutions adopted by the Ilustre
Colegio de Abogados de Puerto Rico and by the American Bar Association
inasmuch as these resolutions coincide with the objective and principles
of the Constitution of the Association.

4. To direct a communication to the Inter-American Commission
on Human Rights of the Organization of American States enclosing the
text of this resolution as well as the text of the resolution of September 6,
1975, of the Ilustre Colegio de Abogados de Puerto Rico, and the resolu-
tion of August 13, 1975, of the American Bar Association, so that this
Commission can study and investigate the above mentioned problem and
give an opinion on it.
COMMITTEE XIX: Food and Drug Law

*Res. 30

Harmonization of Legislation on Food and Drugs

CONSIDERING:

That legislation on foodstuffs and medicinal products is of an eminently scientific and technical character, being subject to constant changes prompted by research;

That the legal disparity impairs to the consumer's detriment, the industrialization and/or commercialization of foodstuffs and medicinal products,

That in spite of their common scientific basis there exist disparities in standards in the corresponding laws of the American countries;

RESolves

To recommend continued effort toward the harmonization of laws on foodstuffs and medicinal products throughout the American countries.

COMMITTEE XX. NUCLEAR LAW

Res. 31

Support of The Special Legal Committee of the Inter-American Nuclear Energy Commission

CONSIDERING:

That the conduct of activities in the field of nuclear energy requires the development of new legal measures to govern: 1) the construction, operation and use of nuclear installations and equipment; 2) the protection of workers; 3) the training of personnel; 4) the transportation of nuclear materials and other radioactive substances; 5) the disposition of nuclear wastes; 6) the protection of the environment; 7) the provision of
compensation for persons who may be injured in the event of a major accident; and 8) the establishment of safeguards to prevent the diversion to military purposes of nuclear materials used or produced in the course of peaceful activities;

That it is important: 1) that those American states which have not already done so establish adequate statutes and regulations to accomplish these purposes; and, 2) to the extent possible, that these measures be harmonized among the American states, in order to facilitate international trade in nuclear facilities and materials, to meet the conditions under which international assistance will be provided, and to conform to international regimes, both global and regional, governing the control and use of nuclear energy;

That the Special Legal Committee of the Inter-American Nuclear Energy Commission, an entity of the OAS, has already played a valuable role in this area by sponsoring various important studies in the field of nuclear energy law and contemplates a future work program which includes, among other matters: 1) suitable arrangements for fellowships in the field of nuclear law for officials of governments of the members States of the OAS and for other individuals proposed by such governments; 2) the organization of courses and seminars on the subject; 3) the preparation and publication by the General Secretariat of the OAS of up-to-date information on legislation and regulations on nuclear energy in the American states in the interest of assisting them to provide such measures and, to the extent possible, harmonizing the same; and 4) insofar as resources are available and for purposes of study of comparative law, the preparation of information or texts of laws on nuclear energy in other parts of the world;

That it is urgent and necessary that the Special Legal Committee be provided with sufficient resources to carry on its activities,

RESOLVES

1. To recommend to the member associations of the Inter-American Bar Association that they use their good offices to encourage the governments of their respective countries to take steps, through the Inter-American Nuclear Energy Commission, or other organs or entities of the OAS, to provide expanded support for the Special Legal Committee in its future work.
2. To express the hope that the Special Legal Committee of the Inter-American Nuclear Energy Commission hold a meeting in 1976 and in view of the interest that Venezuela has demonstrated in the development of energy systems and, in particular, of nuclear energy it would be of great importance that any such meeting take place in that country. Therefore, the Inter-American Bar Association expresses the hope that the Government of Venezuela may issue, to the Organization of American States, an invitation to this effect, thereby lending its important support for such meeting.

3. To state that it is of great importance to the members of the legal profession that the OAS keep up to date its studies and publications on nuclear legislation in the American countries and, if possible, that it include in the said publications some information on texts of nuclear legislation of other areas of the world.

COMMITTEE XX. NUCLEAR LAW

Res. 32

Support of Fellowships, Training Programs and Seminars in Nuclear Law

CONSIDERING:

That the qualification of a significant number of specialists in nuclear law is of capital importance for the countries of Latin America, in order to provide assistance in preparing statutes and regulations, to play a significant part in the administration and enforcement of these measures, and to furnish advice and aid to government officials who are concerned with the supervision and support of nuclear energy activities;

That there are already some fellowships, training courses and seminars in nuclear law which could be made available to Latin American lawyers, including the Special Training Program of the Organization of American States, the training programs of the International Atomic Energy Agency, a training course in Spain, a training course in Argentina, and the International Exchange Program of the American Bar Association;

That there is urgent need for additional fellowships, training courses and seminars in nuclear law for lawyers of the Latin American countries;
That these fellowships, training courses and seminars will require the financial support of international organizations and of the governments of the countries from which the participants are selected;

RESOLVES

1. To recommend to the member associations of the Inter-American Bar Association that they use their good offices to encourage the governments of their respective countries to take steps, through the Organization of American States and through their separate national resources, to provide financial support for existing fellowships, training courses and seminars and the establishment of additional programs of this nature in the field of nuclear law.

2. To express the view that it would be desirable that a Course or Seminar on nuclear law be conducted during the next meeting of the Special Legal Committee of Inter-American Nuclear Energy Commission (CIEN) to which reference is made in Resolution 31 of this Conference.

MISCELLANEA

*Res. 33

Legal and Constitutional Matters Pertaining to Puerto Rico

CONSIDERING:

That the Ilustre Colegio de Abogados de Puerto Rico, member of the Inter-American Bar Association, has, over the years, presented to the Inter-American Bar Association, important reports on the Puerto Rican constitutional process;

That from 1963 to the present, the said Colegio has appeared to explain and defend the Report on Sovereignty to domestic and international forums, including the Congress of the United States and the United Nations;

That in the XIV Conference of the Inter-American Bar Association held in San Juan, Puerto Rico from May 22 to 29, 1965, Resolution No. 48 was adopted taking into account the Sovereignty Report approved by the Colegio de Abogados de Puerto Rico in its Special General Assembly held on February 21, 1963;
That a study of documents submitted to this committee on this subject indicates that they contain a careful analysis of a legal and constitutional problem as to the minimum substantive requirements that are essential to each of the proposals to be presented in a plebescite in order to permanently solve the problem of the status of Puerto Rico;

RESOLVES

To adopt and support the strictly legal content of the recommendations made in Documents Two and Three of the Report of the Colegio de Abogados de Puerto Rico.