



SUMMIT IMPLEMENTATION REVIEW GROUP (SIRG)
Second Meeting of Plenipotentiary Officials of 2009
April 2, 2009
Liberator Simon Bolivar Room - OAS Headquarters
Washington D.C.

OEA/Ser.E
GRIC/OP.2/doc.4/09
2 April 2009
Original: English

REPORT OF THE MEETING

1. PREPARATIONS

At the first meeting of plenipotentiary officials of 2009 which was held in Port of Spain Trinidad and Tobago, the Chair, Ambassador Luis Alberto Rodriguez, National Coordinator and Special Envoy for the Americas, of the Government of the Republic of Trinidad and Tobago, indicated to member states that the second meeting at the Plenipotentiary level would be held on April 2-3, 2009 at a venue to be determined. He also informed that deliberations would continue with the two pending paragraphs and that the paragraphs that were approved ad Referendum would also be reviewed.

On March 30, 2009, the most recent revision of the pending paragraphs in the Draft Declaration of Commitment of Port of Spain (GRIC/OP.1/doc.4/09) was circulated to all National Coordinators, and Permanent Missions, as the working document for the second Meeting of Plenipotentiary Officials of 2009.

2. ADOPTION OF THE AGENDA

The Chair, before presenting the agenda, welcomed the participants to the second meeting of plenipotentiaries for 2009. He stated that the previous week the National Secretariat had the honor and pleasure of welcoming delegates to Trinidad and Tobago the home of the Fifth Summit of the Americas. He then briefed the delegates on the progress of the preparation for the Summit. He reassured delegates that Trinidad and Tobago would be ready by the date of the meeting. Following the briefing on logistical preparation the Chair presented the meeting's agenda (GRIC/OP.2/doc.2/09) for the consideration of the delegates. There having been no objections or amendments, the agenda was approved.

3. FIRST PLENARY SESSION

- a) Remarks by Ambassador Luis Alberto Rodriguez, National Coordinator and Special Envoy to the Americas and Chair of the SIRG

The Chair indicated that this was the last session of the SIRG and that he hoped that the negotiations would be completed. He commended the delegates for their progress and indicated that although it had been trying and frustrating he was pleased that they were able to find ways to resolve their differences. He admitted that the Declaration was not perfect and expressed the opinion that it represented the collective voices of the hemisphere. He informed that a tremendous amount of work was put into the review of the Declaration and that at the last meeting 20 paragraphs were approved during deliberations that ended in the early hours of Thursday morning. He further informed that only two

paragraphs were left for approval and expressed the hope that this would be done during the final session of the SIRG. The Chair informed that 94 paragraphs were approved, 5 were ad referendum, and 2 were pending (paragraphs 23, 53). The five paragraphs that were approved ad referendum were as follows: paragraphs 23 and 30 (ad ref Venezuela), paragraph 35 (ad ref Bolivia), paragraph 56 (ad ref Venezuela and Nicaragua), paragraph 58 (ad ref Bolivia, Venezuela, and Nicaragua).

The Chair also informed that on March 26 and 27, 2009, the Style Committee began its work, under the leadership of The Representative of Mexico, and completed 29 paragraphs. He informed that they would continue working while the plenary was deliberating. He also thanked the other members of the Style Committee for their efforts in getting the work done expeditiously. Ambassador Rodriguez urged participants to continue to work in the spirit of consensus building and good faith. He stated that if participants could not find consensus in the Plenary, arrangements would be made for consultations in the margins. He also stated that all paragraphs have been read and all pending paragraphs were reviewed.

b) Overview of the methodology of the SIRG

The Chair reiterated the Methodology that was adopted at prior SIRGs and indicated that as in previous meetings the pending paragraphs would be read by the Director of the Summit Secretariat and then presented for discussion. He emphasized that only the text in brackets would be negotiated and that as agreed at the 3rd SIRG of 2009 no new paragraphs would be accepted.

The Chair, like in previous meetings, reiterated that where extensive changes or new texts were being proposed, the Member States would orally present them to the meeting, and then submit their text to the Summit Secretariat preferably in electronic form for translation and distribution. The Chair stated that on completion of the discussion on a paragraph, it would be read in its entirety, for final approval. He indicated that once approved the paragraph could not be reopened. He also indicated that members of the Joint Summit Working Group would be called upon for any clarification required, during the negotiations.

Ambassador Rodriguez reiterated that if final approval could not be obtained he would propose that the delegations consult in order to find compromised language. He also emphasized that paragraphs with bracketed text would be opened only for comments on the bracketed text and that grammatical issues would be dealt with by the style committee. The Chair informed that after the two pending paragraphs have been addressed he would revisit the paragraphs that were approved ad referendum.

The Chair opened the floor for the reading of the pending paragraph 34 by the Director of the Summit Secretariat. The Brazilian Representative indicated that his delegation had worked with other countries to arrive at compromised language and would like to present a proposal for paragraph 34. The paragraph was presented for consideration. A number of delegations took the floor in support of the proposal. The United States expressed a reservation on the use of the term "each member state" as opposed to "respective member state" in the proposed paragraph. After some debate, the issue was resolved by the Representative of St Lucia who proposed the use of the term "the member state," which he indicated should address the concerns of both delegations. This was accepted and paragraph 34 was then approved.

The Brazilian Representative had indicated at the First Meeting of plenipotentiary officials that although they had joined the consensus on paragraph 49, they wished to present an observation for the

record, the text of which would be given to the Secretariat. The text of the observation, which was presented to the Summit Secretariat, reads as follows “Taking into account that there is no agreed criminal classification at an international level on ‘crimes associated with the use of technology’ Brazil indicates that it will adopt its own interpretation of such crimes and will act in accordance with its national legislation.”

The Chair indicated that since delegations were still consulting on the remaining pending paragraph 53, he would begin the review of the ad referendum paragraphs. In this regard he offered the floor to the Representative of Venezuela who informed that they were willing to accept paragraph 30 since the principles proposed were contained in paragraph 40. She also informed that her delegation was still working on paragraph 23. The Representative opined that their proposals did not take away from the paragraph but in fact enriched it. The Chair requested Venezuela and the United States to continue their consultations on the paragraph and report to the Plenary at a later time.

The meeting was then adjourned for lunch.

4. SECOND PLENARY SESSION

Negotiations on the Draft Declaration of Commitment of Port of Spain

On the reconvening of the session on negotiations on the Draft Declaration of Commitment of Port of Spain, the Chair reiterated the status of the negotiations. He indicated that paragraphs 34 and 30 were approved. He further indicated that he would continue with the ad referendum paragraphs and would call on the countries with reservations for comments. Paragraph 35 was reintroduced and the Chair called on the Representative of Bolivia for his comments. The Representative indicated that his country supported the paragraph. With respect to paragraph 33 however he indicated that they would not join consensus during this session but instead at the Summit his Foreign Minister would present observations as a footnote. The Chair thanked Bolivia and indicated that he would consult with him informally at a later time.

The Chair presented paragraph 57 and indicated that it was approved ad referendum Nicaragua and Venezuela. The Nicaraguan Representative took the floor to indicate that with regard to paragraph 57, his country wished to express the following:

“The Government of Nicaragua cannot agree with the statements expressed in this paragraph regarding the role of the OAS in the region, given that such statements do not reflect the reality of OAS action, which in some instances has involved political biases which have impinged on the sovereignty of some of our countries. Improving the capacity of the OAS would necessitate not only eliminating the negative impact of this action, which on occasion has gone against the interest of member states of the organization, but it would also necessitate complying with the principles of independence, equal sovereignty and non interference in the internal affairs of states.”

The Representative of Venezuela indicated that her country fully supported the position of Nicaragua. The Representative of Brazil sought some clarification as to whether the position of Venezuela was identical to that of Nicaragua. The Venezuelan Representative reiterated that her country shared with Nicaragua the sentiments expressed in the footnote.

With regard to paragraph 58, which was approved ad referendum Bolivia, the Chair gave the floor to the Bolivian Representative for comments on the proposed bracketed text. The Representative of Bolivia indicated that he wished to withdraw the text and supported the paragraph as approved.

The Chair indicated that paragraph 23 which had been pending at the request of the delegations of Venezuela and the United States was revisited and that the delegations had indicated that they were now in agreement. The paragraph was then presented and approved without reservations. The Chair also indicated that paragraph 57 had been reformulated by the ALADI Group and this had been sent to the translators before being presented to the delegates.

On presentation of a reformulated paragraph 57, the Venezuelan Representative requested the floor and expressed his country's reservation with the language. He indicated that Venezuela had deep reservations with the work of the Inter American Human Rights Commission (IHRM) and the Executive Secretariat. He cited the unwillingness of the Commission to participate in dialogues concerning serious problems in the system as well as the political and legal perspectives given to the cases presented to them.

He also mentioned as a further example, the coup d'état that was recognized by the IHRM in the letter that was sent to the government with regard to the status of the individual Hugo Chavez without recognizing him as a former president. The Ambassador informed that the Venezuelan commissioner on the IHRM was dismissed because of his criticisms of the IHRM. He stated that these events have caused Venezuela to have no confidence with the system and to indicate that the IHRM is not welcome in the country. The Representative of Venezuela further informed that despite this, the Commission has written reports of Venezuela on the basis of comments from the opposition and from ultra-right members of the Media and it has also indicated that it will continue its reports on Venezuela for its own purposes. The Ambassador concluded by reiterating his general support for the text but with reservations.

The Chair indicated that he had expressed that the Declaration was not perfect but it was the voice of the hemisphere. He took note of The Representative of Venezuela's statement. The Chair thanked the delegates for their efforts and indicated that he wished to show them a video on Trinidad and Tobago, which was not shown before because of time. The video was shown.

At the end of the session the chair informed that 49 paragraphs in the Style Committee were completed. He thanked the Representative of Mexico for his leadership and indicated that he would be contacting delegations in the near future to provide them with some additional information on the Program for the Summit and that the order of speaking would be sent to all Presidents. He also assured members of the advance team that their concerns were addressed and that the baggage tags requested were sent directly to capitals. He also reassured the countries that had indicated that they needed more rooms that this was also addressed satisfactorily. The Representative of Argentina thanked Trinidad and Tobago for hosting the summit and expressed the certainty that all would go well at the Summit. The Chair thanked all participants, as well as the members of the National secretariat and Summit secretariat for their tremendous work. He made special mention of his Deputy Coordinator, Ms. Beverly Khan for her hard work. He closed by extending an invitation to all to attend the reception hosted by the Ambassador of Trinidad and Tobago to the US and the OAS.

The meeting was adjourned at 7.45 p.m.