

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

REMJA VIII

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REPORT OF REMJA-VIII

REPORT OF THE EIGHTH MEETING OF MINISTERS OF JUSTICE OR OTHER MINISTERS OR ATTORNEYS GENERAL OF THE AMERICAS (REMJA-VIII)^{1/}

I. BACKGROUND

At its thirty-ninth regular session, held in San Pedro Sula, Honduras, the General Assembly of the Organization of American States (OAS) adopted resolution AG/RES. 2462 (XXXIX-O/09), in which it resolved to convene REMJA VIII, to be held in Brazil in 2010.

Accordingly, on November 4, 2009, the OAS Permanent Council, through resolution CP/RES. 962 (1726/09), chose Brasilia, Brazil and the days February 24 – 26, 2010, as the venue and date for the meeting.

In this regard, three preparatory meetings for REMJA VIII were held at OAS headquarters, on December 14, 2009, January 20, 2010, and February 16, 2010. During those meetings, the draft agenda, schedule and conclusions and recommendations of REMJA VIII were approved.

II. PROCEEDINGS

To begin the meeting, Dr. Romeu Tuma Júnior, National Secretary for Justice of the Republic of Brazil, took up the Chair,^{2/} in accordance with provision 6 of the “Document of Washington,”^{3/} and the delegations of Costa Rica and Trinidad and Tobago were elected by acclamation by the Heads of Delegations to be First and Second Vice Chair of REMJA, respectively.

The draft agenda and schedule of the meeting were then approved unanimously.^{4/}

A. Technical session: Follow-up to the recommendations from REMJA-VII:

1. Introductory presentation on the background and agenda for the meeting

The Director of the Department of Legal Cooperation of the OAS Secretariat for Legal Affairs, Dr. Jorge Garcia Gonzalez, gave a brief presentation^{5/} on the background to REMJA and developments that had taken place in its framework. He also made some introductory remarks regarding the topics on the agenda.

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1. The list of documents and list of participants for REMJA VIII may be found at: www.oas.org/es/sla/dlc/remja/VIII_lista_docs.pdf and www.oas.org/es/sla/dlc/remja/VIII_lista_part.pdf
 2. The words of welcome by Dr. Tuma Júnior are found at: www.oas.org/pt/sla/dlc/remja/VIII_sec_just.pdf
 3. Provision 6 of the Document of Washington states that: “Once a REMJA has been formally convened as provided in the last paragraph of the preceding provision, the state that is to host the meeting shall take up the Chair and convene the preparatory meetings referred to in provision 8 of this Document. (...) “Also, the Vice Chair of the REMJA shall be elected at the start of the respective meeting. The Vice Chair shall replace the Chair in the event of any impediment thereto.”
 4. The agenda and schedule for REMJA VIII may be found at: www.oas.org/en/sla/dlc/remja/VIII_temario_en.pdf and www.oas.org/en/sla/dlc/remja/VIII_calendario_en.pdf
 5. This presentation is available at: www.oas.org/en/sla/dlc/remja/VIII_present_intro_en.pdf

2. *Report on the activities of the Working Group on Mutual Assistance in Criminal Matters and Extradition and the outcomes achieved from its Fourth Meeting.*

The Fourth Meeting of the Working Group on Mutual Assistance in Criminal Matters and Extradition took place from March 31 to April 2, 2009, in San Salvador, El Salvador. Ms. Ana Elizabeth Villalta Vizcarra, Representative of the delegation of El Salvador and Chair of the Working Group talked about the Group's work and presented to the plenary the recommendations that arose from that meeting (published in document PENAL/doc.29/09 rev. 1.^{6/}

3. *Progress report on the Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition*

The representatives of the Department of Information and Technology Services of the Secretariat for Administration and Finance and of the Department of Legal Cooperation of the Secretariat for Legal Affairs, both of which form part of the OAS General Secretariat, referred to progress made with the Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition (Criminal Matters Network), which includes, *inter alia*, its background, composition, and institutionalization, as well as progress made since REMJA VII, in particular with respect to modernization of the secure electronic communication system and other new developments, including, notably, implementation of the secure videoconference system.^{7/}

4. *Report on the activities of the Working Group on Cybercrime and the outcomes achieved from its Sixth Meeting*

The Sixth Meeting of the Working Group on Cybercrime took place at OAS headquarters on January 20 and 21, 2010. Mr. Albert C. Rees Jr., the representative of the delegation of the United States and Chair of the Working Group, in his presentation,^{8/} talked about the recommendations arising out of the aforementioned meeting, published in document CIBER-VI/doc.4/10 rev. 1.^{9/}

The Chair of the Working Group also talked about the training workshops conducted since REMJA VII, on such topics as research into cybercrime, forensic information technology, international cooperation, and legislation on the topic, and mentioned the workshops scheduled for 2010.^{10/}

5. *Report on the outcome of the Second Meeting of the Working Group on Penitentiary and Prison Policies*

The Second Meeting of the Working Group on Penitentiary and Prison Policies was held in the city of Valdivia, Chile, from August 26 to 28, 2008. Mr. Ignacio Castillo, a member of the delegation of Chile, the country hosting the meeting, gave a presentation to the plenary on the conclusions and recommendations arising out of the meeting, which were published in document GAPECA/doc.8/08 rev. 2.^{11/}

6. This document is available at: www.oas.org/juridico/MLA/en/recommenIV_en.pdf

7. These remarks may be found at: www.oas.org/en/sla/dlc/remja/VIII_present_tecn_en.pdf

8. This presentation is available at: www.oas.org/en/sla/dlc/remja/VIII_tema4.pdf

9. This document is available at: www.oas.org/juridico/english/cyb_VIrec_en.pdf

10. This information is available at: www.oas.org/juridico/english/cyber.htm

11. This document is available at: http://scm.oas.org/doc_public/ENGLISH/HIST_09/CE00394E10.doc

6. *Report on the outcomes of the First Meeting of the Working Group on Forensic Investigation*

Mr. Francisco Gerdo Rosales, the representative of the delegation of the Dominican Republic who chaired the First Meeting of Specialists in Forensic Investigation in the Americas, held at OAS headquarters on September 24 and 25, 2009, in the framework of the Working Group on Forensic Investigation, presented the conclusions and recommendations of the aforesaid meeting to the plenary. They were published in document REF/doc.4/09 rev. 1 corr. 1.^{12/}

7. *Report of the Justice Studies Center of the Americas (JSCA)*

Mr. Russell Wheeler, Chairman of the Board of Directors of the JSCA, and Cristian Riego, Executive Director of the Center, presented the report on the activities of the JSCA for 2008-2009 and mentioned the actions undertaken pursuant to REMJA VII and resolutions AG/RES. 2369 (XXXVII-O/08) and AG/RES. 2457 (XXXIX-O/09), respectively, aimed at promoting voluntary contributions by OAS member states to JSCA activities.^{13/}

8. *Report of the Technical Group on Transnational Organized Crime and of the outcomes achieved in the development of the Hemispheric Plan of Action against Transnational organized Crime.*

The Second Meeting of the Technical Group on Transnational Organized Crime took place on October 7, 2009, at OAS headquarters. Colonel Roland Maunday, a representative for the delegation of Trinidad and Tobago, who chaired the above-mentioned meeting, briefed the plenary about activities undertaken pursuant to the Hemispheric Plan of Action against Transnational Organized Crime and presented the outcomes of the aforementioned Second Meeting of the Technical Group. These were published in document GT/DOT-II/doc.12/09.^{14/}

9. *Report on the outcome of the Second Meeting of National Authorities on Trafficking in Persons*

The Second Meeting of National Authorities on Trafficking in Persons was held from March 25 to 27, 2009, in the city of Buenos Aires, Argentina. Mr. Juan Martín Mena, a representative of the delegation of Argentina, the country hosting the meeting, briefed the plenary on the outcomes of the meeting^{15/} and presented its conclusions and recommendations, which were published in document RTP-II/doc.5/09 rev. 10.^{16/}

12. This document is available at: http://scm.oas.org/doc_public/ENGLISH/HIST_09/RE00244E04.doc

13. This presentation is available at: www.oas.org/es/sla/dlc/remja/VIII_tema7.pdf

14. This document is available at: http://scm.oas.org/doc_public/ENGLISH/HIST_09/CP22899E04.doc

15. This presentation is available at: www.oas.org/es/sla/dlc/remja/VIII_tema9.pdf

16. This document is available at: http://scm.oas.org/doc_public/ENGLISH/HIST_09/RA00110E13.doc

10. *Report on progress made in the areas of hemispheric legal cooperation on family and child law*

Mr. Dante Negro, Director of the Department of International Law of the Secretariat for Legal Affairs of the OAS General Secretariat talked about progress made in regards to hemispheric legal cooperation on family and child law^{17/}, pursuant to Recommendation X of REMJA VII, including matters related to the Network for Legal Cooperation in the Area of Family and Child Law.^{18/}

B. Dialogue of Heads of Delegations

Before commencing the dialogue of heads of delegations, the following persons took the floor: Minister-Solicitor General of the Union, Dr. Luiz Inacio Lucena Adams; the OAS Secretary for Legal Affairs, Dr. Jean Michel Arrighi, speaking on behalf of the OAS Secretary General, Mr. José Miguel Insulza; and the Minister of Justice of Brazil, Dr. Luiz Teles Barreto.^{19/} There were also two introductory presentations. The first²⁰ was made by the Directors for the Departments of Legal Cooperation and Information and Technology Services, Drs. Jorge García González and Juan José Goldschtein, respectively, who spoke about the development within the OAS framework of specific measures to strengthen legal and judicial cooperation in the Americas. The second²¹ was made by the delegation of Brazil, recalling Brazil's experience in the same area.

The presentations were followed immediately by the dialogue of heads of delegations, which addressed the agenda item entitled "Concrete Measures to strengthen legal and judicial cooperation in the Americas." Consideration was given, in particular, to national and international legal instruments; cooperation, training, and technical assistance programs; networks and new information and communication technologies. All the delegations present took part in the dialogue.

C. Conclusions and Recommendations

Having completed the discussion on the various items on its agenda, REMJA VIII adopted by consensus the conclusions and recommendations contained in document REMJA-VIII/doc.4/10 rev. 1.^{22/}

D. Venue and date for REMJA IX

REMJA VIII gratefully acknowledged and accepted the offer by the delegation of El Salvador to host REMJA IX, to be held in 2012.

17. This presentation is available at: www.oas.org/es/sla/dlc/remja/VIII_tema10.pdf

18. For further information, go to: www.oas.org/dil/esp/derecho_de_familia.htm

19. His remarks may be found at: www.oas.org/pt/sla/dlc/remja/VIII_min_just.pdf

20. This presentation is available at: www.oas.org/en/sla/dlc/remja/VIII_present_politica_en.pdf

21. This presentation is available at: http://www.oas.org/pt/sla/dlc/remja/VIII_brasil.pdf

22. The Conclusions and Recommendations of REMJA VIII are available at: www.oas.org/en/sla/dlc/remja/recom_VIII_en.pdf

F. Closing session

During the closing session, the OAS Assistant Secretary General, Ambassador Albert Ramdin^{23/} and the Minister of Justice of Brazil, Dr. Luiz Paulo Teles Barreto made their closing remarks. Once they had concluded, REMJA VIII was declared closed.

23. His remarks are available at: www.oas.org/en/sla/dlc/remja/VIII_asg_oas.pdf