

RESOLUTIONS OF THE MEETING
OF THE BOARD OF DIRECTORS OF THE
JUSTICE STUDIES CENTER OF THE AMERICAS (JSCA)

First Meeting of the Board of Directors

(Washington January 27 and 28, 2000)

1. The proposal made by the Government of Chile to be the seat of JSCA was accepted in the framework of four additional applications presented for this purpose. The Third REMJA was recommended by the Board of Directors (March 1-3, 2000) to proceed with its final approval.
2. The Forum of Ministers was made aware of the financial commitments assumed by the State Members of the OAS in order to provide voluntary contributions to JSCA.

Second Meeting of the Board of Directors

(Santiago, May 2000).

- 1 A procedure was established for the selection of the executive director of JSCA that incorporated a process of open applications, with broad circulation among the Members of the OAS, an extended period for reception, and description of a suitable profile for the position to be filled. A sub-committee of the Board was entrusted to present this proposal and subsequent demonstration and justification of the applications that could be accepted for this purpose.
- 2 It was agreed to draft a Project of Agreement of the Seat between JSCA and the Government of Chile, establishing a minimum statute for the operation of the organization in Chile.
- 3 It was decided to explore a series of Cooperation Agreements between JSCA and the General Secretariat of the OAS.
- 4 The Board of JSCA was appointed, formed by a President and a Vice-President.

Third Meeting of the Board of Directors

(Miami July 2000).

- 1 The lawyer Mr. Juan Enrique Vargas was elected Executive Director of JSCA and a proposal was submitted for his formal designation by the Permanent Council of the OAS.
- 2 The Project for the Regulations of JSCA that had been presented by the Executive

Secretariat was approved and some changes were suggested to its final provisions.
3 The Initial Installation Plan of JSCA was approved, under the Ministry of Justice, the Ministry of Foreign Affairs and JDC for the establishment and initial operation of the institution.

Fourth Meeting of the Board of Directors

(Santiago, October 2000).

1. The initial Work Plan presented by the Executive Director of the JSCA was approved.
2. The Project of Agreement between JSCA and the Government of Chile for the Seat, was approved.
3. The final version of the JSCA Regulations was approved.
4. The Executive Secretary of JSCA was formally appointed.

Fifth Meeting of the Board of Directors

(Washington, February 2001).

1. The report about the establishment presented by the Executive Director was approved and sent for the approval of the General Assembly of OAS.
2. The proposal for an appendix to the Regulations incorporating guidelines for the constitution of Advisory Groups and Members Associated to JSCA was approved.
3. The activities were sponsored, in the frame of the meeting, of a workshop on judicial reform and cooperation in the region that has the cooperation of the main institutions related to the matter with headquarters in the United States

VI Meeting of the Board of Directors

(Santiago, December 2001)

The Sixth Meeting of the Board of Directors of the Justice Studies Center of the Americas took place on December 6-7, 2001 in Santiago, Chile. In attendance were Ms. Mónica Nagel, President; Mr. Douglass Cassel, Vice-President, and Councillors Ms. Soledad Alvear and Mr. Federico Callizo. Also present were Mr. Rodrigo Quintana; Mr. Juan Enrique Vargas, Executive Director of JSCA, Ms. Luciana Sánchez, JSCA Director of Programs; and Mr. Francisco Cruz, Secretary of the Board.

In accordance with the meeting's agenda, the following topics were addressed:

- Composition of the Board of Directors

- Financial auditing
- Approval of agreements
- Resolution of requests for association
- Annual Account of the Executive Direction
- 2002 Working Plan presented by the Executive Direction
- Financial strategies
- Election of President and Vice-President
- Resolutions to present in the next REMJA

The following minutes contain the agreements adopted in the final session of the meeting.

1° The Board of Directors declared its satisfaction with the decision made during the last OAS General Assembly Meeting to extend, for an additional three years, the term of office of two of the original members; Ms. Mónica Nagel and Mr. Federico Callizo.

2° The President of the Board of Directors was authorized to create a preliminary commission consisting of at least 2 board members to select the topics to be submitted for the consideration of the Board.

3° The international organization of Ernst & Young was ratified and approved as the external auditor for JSCA's activities. This company was chosen by CDJ as the result of an open selection process and within the scope of its commitments assumed as part of the USAID/CEJA project.

4° It was requested that the Executive Director send the Board members detailed financial statements of CEJA's income and expenses on a quarterly basis.

5° The Executive Director was authorized to explore the possibility of opening checking accounts for CEJA in countries other than Chile.

6° The Executive Director reported on the support that JSCA receives in Chile from other organizations. The contributions received in compliance with the proposal tendered by Chile and accepted by REMJA have consisted of physical facilities, equipment, and personnel. To date that support has come directly from CDJ, which also makes available its legal personality for JSCA's operations until the procedures for its Headquarters Agreement with the Chilean government are finalized. The support that has been received is fully satisfactory, for which the Board is thankful to CDJ. It is hoped that in the future, the support will come directly from the Chilean government, which has committed up to \$100,000 in the first year for its installation and a later voluntary annual contribution which will be adjusted in accordance with Chile's willingness to house JSCA's headquarters.

7° The agreements signed by JSCA's Executive Director with the following organizations were approved: the Executive Branch of Argentina; the Supreme Court of Argentina; the Office of the Public Prosecutor of Argentina, the Office of the Public Prosecutor of Chile, the Pontifical Catholic University of Lima, Peru, and the Institute for Judicial Studies in Chile.

8° The Executive Director was authorized to continue signing agreements similar to those already signed to the degree that they do not impose financial obligations on JSCA, that they will become effective immediately upon their signing, although they must later be approved by the Board of Directors in compliance with article 10 of its Statutes. Should the agreement to be signed vary significantly from those already signed, the Executive Director may sign it with prior consultation with the members of the Board of Director via whatever means of communication deemed convenient and as long as no opposition is presented during a period of ten days.

9° The Board approved with great satisfaction the associated membership of the Argentine institutions ARGENJUS and INECIP with JSCA. These institutions have fully complied with the regulations and completed the steps established for this purpose.

10° The annual account presented by the Executive Director was approved and authorization was given to present it with modifications as a report of the Board of Directors during the next REMJA meeting and General Assembly of the OAS. The Executive Director was asked to explore the possibility of making an oral presentation of this report to the Permanent Council of the OAS:

11° The 2002 Work Plan presented by the Executive Director was approved, as was JSCA's estimated budget.

12° The Executive Director was requested to send a quarterly calendar of CEJA events to the members of the Board so that they might participate in some of those events.

13. The Secretary of the Board was asked to make a presentation during the VII board of Directors' Meeting, consisting of a proposal concerning the manner in which the Board and the Executive Direction should treat the public reports issued by JSCA.

14° The President of the Board and its Executive Director were commissioned to determine projects or studies through which JSCA might effectively make a contribution in the fight against terrorism.

15° An Advisory Board to the Board of Directors was created, made up of high-profile members of the public and private sectors to collaborate in obtaining funds for JSCA's operations. The members of the Board of Directors will submit suggestions to the Executive Director about the way this board should work and be structured, as well as suggestions for possible members.

16° It was agreed that concrete proposals for medium and long-term funding programs for JSCA should be taken to multilateral regional forums, in compliance with the work plan agreed upon at the III Presidential Summit Meeting.

17° The members of the Board will take direct action to obtain voluntary contributions to JSCA by members States, particularly with respect to national entities and agencies that fund law and justice-related projects.

18° Direct contact will be made with the Justice, Foreign Relations and Finance Ministers of the countries of the Region to make concrete the voluntary contributions of their respective countries.

19° It was proposed that before the next REMJA, a closer relationship between REMJA and JSCA should be established. JSCA will be involved, as much as possible, in the follow-up and distribution of the conclusions, procedures to be used, and recommendations of the meeting.

20° In consideration of the upcoming REMJA meeting to be held in March in Trinidad & Tobago, a work meeting will be organized with legal experts and governmental representatives from the different Caribbean countries. The objective is to learn about the activities that JSCA can develop to benefit their legal and judicial systems. Board members from the Caribbean will be notified well in advance

21° It was agreed to hold JSCA's VII Board of Directors Meeting during the REMJA meeting, with prior notification to the Board Members not present at the current meeting.

22° In accordance with article 13.4 of the Statutes and articles 11-15 of the Regulations, Mr. Douglass Cassel was named as the new President of the Board of Directors, and Councillor Federico Callizo as the new Vice President. Ms. Mónica Nagel was heartily congratulated on her excellent performance as the first President of the Board.

Seventh Meeting of the Board of Directors

(Santiago, October 2002)

The Board of Directors met in Santiago, Chile on October 17-18, 2002. In attendance were President Douglass Cassel and Directors Soledad Alvear, Federico Callizo, Karl Hudson-Phillips, Mónica Nagel, and Director' elect George Thomson, in addition to the Executive Director and the Board Secretary. The following resolutions were taken in virtue of Article 13 of the Statutes and Articles 18 and 19 of the Regulations:

1. To take note of the letter sent by Director José Ovalle, who expressed his regrets for not being able to attend this seventh meeting, and to express the Board's gratitude and appreciation for the time he spent on the Board. The Board also communicated its thanks to Mr. Ovalle for his valuable contributions, ideas and work during the initial stages of the Board's and JSCA's operation, and transmitted its gratitude to the Government of Mexico for his nomination. Similarly, the Board wishes to recognize the services rendered by Director Carl Justice Rattray, and to express its regret for his resignation from the Board and to thank the Government of Jamaica for his estimable candidacy.
2. To congratulate Director Hudson-Phillips on his re-election and cordially welcome Director-elect George Thomson. Both were appointed to the Board at the recent OAS General Assembly.

3. To thank the Government of Chile for the special effort made through the Ministry of Foreign Affairs and the Ministry of Justice. To especially recognize the concern shown by Director Soledad Alvear for the swift and effective processing and approval of the Headquarters Agreement of JSCA. In addition, the Board would like to take this opportunity to salute and acknowledge the regular financial contributions of the Government of Chile to JSCA and expresses its conviction for the need to maintain these regular contributions to finance the Center's work on an ongoing basis.

4. To commend the Executive Director and the Board Secretary for their efforts to seek possible ways and means for the opportune participation of JSCA in the 33rd Ordinary Period of Sessions of the General Assembly of the OAS, which will take place in Santiago next June (2003). It also wishes to thank the Director Soledad Alvear for offering to facilitate this participation.

5. To commend the Executive Director for the preparation of a document to address aspects of Hemispheric Security to be presented at the next Inter-American Conference on this issue, to be held in Mexico during the first semester of 2003. Before its publication, this work will be submitted to each of the Directors in order to incorporate ideas and comments that they consider appropriate.

6. To congratulate the Executive Director and the staff for the presentation of the Annual Report of Activities of 2002 and the Projects for 2003, which show the significant results achieved and the substantial work undertaken on the proposals. The Board of Directors agrees with the analysis submitted regarding the successful maximization of the work accomplished with a proportionally small budget. The Board also expressed its satisfaction that JSCA's limited resources were used with maximum efficiency, ensuring high impact of the activities undertaken.

7. To recognize the presentation of the report on the Assessment and Follow-up of Criminal Procedure Reforms in Costa Rica, Chile, Paraguay, and the Province of Cordoba, Argentina. The Board applauds the report's solid analysis and high impact, and exhorts the Coordinator of Studies to explore the feasibility of incorporating an analysis of traditional common-law systems-such as those found in the English-speaking Caribbean countries, the United States, and Canada-into a future report.

8. To approve the Financial Report presented by the Executive Director, to renew confidence in the ongoing contributions of current JSCA donor countries such as Chile and Canada, and the imminent contributions of those countries that have pledged funds, such as Costa Rica. In this context, the Board requested that the Executive Director and the Board Secretary prepare a document containing guidelines for JSCA to declare, bilaterally and multilaterally, the payment of these contributions. To this effect, JSCA could use the contribution scale currently in effect in the OAS.

9. To commend the Executive Director and the Board Secretary for the preparation of an organic and functional proposal for the creation of an Advisory Group to better seek resources for JSCA. This proposal should include a draft list of individuals or institutions for possible participation in this Group.

10. To express its satisfaction with the diagnostic and the proposals submitted by the Director of Studies for the Cooperation Project with the Caribbean. The Board would like to encourage the timely prioritization of activities and a visit to Trinidad and Tobago by two JSCA professionals in order to harmonize methodologies with local actors and possible partners. The Board thanks the invaluable help and support of Director Hudson Phillips in this endeavor.

11. To consider that within the framework of JSCA's publication policy of reports and documents through JSCA channels, the following criteria are to be taken into account to better establish the responsibility for the texts:

11.1 Clearly identified individual experts who sign their work have personal and exclusive responsibility over it.

11.2 The Executive Director is legally responsible for disseminated materials that are not signed or whose author is otherwise unidentified.

This criteria should guide the preparation of an ad-hoc proposal on this subject to be presented by the Executive Director and the Board Secretary at the next meeting of the Board of Directors.

12. To commend the Executive Director sending copies of the 2002 Auditor's Report and the Work Plan for 2003 to the members of the Board in a timely manner.

13. To request the Secretary of the Board to prepare a proposal for modifying the Statute to allow the Permanent Council of the OAS to intervene in the appointment of JSCA Directors under certain circumstances.

14. To ratify the cooperation agreements signed by JSCA and presented by the Secretary to the Board, and to approve the request of the Instituto Mexicano para la Justicia (IMEJ) to become an associated member of JSCA, in accordance with Articles 8 and 10 of the Statute

15. To congratulate the Executive Director and the JSCA team for their fine work and commitment.

16. To hold the next meeting of the Board before the next General Assembly of the OAS. In addition, Director Thomson reminded the Board of the need to include a tentative date for the 9th meeting of the Board in this same notice, with the aim of facilitating the members' plans and attendance.