

**Sixth Annual Conference on Legal and Policy Issues in the Americas**  
**May 15-16, 2005**  
**Hilton University of Florida Conference Center, Gainesville, Florida**

**Sunday, May 15**

4-6 p.m. Plenary Session:  
4-5 p.m.  
*"Status of Justice Reforms in Peru"*  
Keynote Speaker: Jorge Santistevan, Peru

Moderator: Dennis Jett, Dean of the International Center, University of Florida;  
Former United States Ambassador to Peru and to Mozambique

Presentation of "The Jon Mills Award for Significant Contributions to Relations  
Between Florida and the Americas"

5-6 p.m.  
***Topic I: "Role of Justice Systems in Terrorism in the Americas"***  
Co-Sponsored by the Centre for International Financial Crimes Studies,  
University of Florida Levin College of Law

Panelists will discuss the OAS treaty on terrorism in the Americas and the status  
of terrorist organizations in the nations of the Americas.

Alan Lambert, Consultant with the British Foreign & Commonwealth Office and  
the Caribbean Anti-Money Laundering Programme; former Detective in the  
United Kingdom

Peter German, Chief Superintendent and a member of the Royal Canadian  
Mounted Police

George Henry Millard, Police Chief of the São Paulo State Police, Brazil

Moderator: Fletcher N. Baldwin, Jr., Chesterfield Smith Professor of Law;  
Director, Centre for International Financial Crimes Studies, Levin College of Law

6:30-  
8:30 p.m. Reception for All Conference Participants  
Home of Mike & Buff Gordon

**Monday, May 16**

7:30-8 a.m. Continental Breakfast available in continuous break area.

8 a.m.-  
10:45 a.m. Plenary session

8-9:30 a.m.

**Topic II: "Comparative Justice Systems: Peru, Chile & the United States"**

Panelists from Peru, Chile, and the United States will discuss justice systems in the Americas, examining issues of transparency, judicial independence and integrity, legal education, professionalism, ethics, human rights, system resources, and population diversity.

Miguel David Lovatón Palacios, Director of the Legal Defense Institute (IDL), Peru

Javier de Belaunde, Peru

Francisco Maldonado Fuentes, Chief of the Juridical Division at the Ministry of Justice, Chile

Juan Cristóbal González Sepúlveda, Jefe de Relaciones Internacionales y Cooperación, Ministry of Justice, Chile

Elizabeth A. Jenkins, U.S. Magistrate Judge, U.S. District Court for the Middle District of Florida; Chair, Latin America/Caribbean Subcommittee, Judicial Conference Committee on International Judicial Relations

Moderator: Jon Mills, Dean Emeritus and Director, Center for Governmental Responsibility, Levin College of Law

9:30-10:45 a.m.

**Topic III: "The Contribution to Rules-Based Governance of Dispute Settlement Systems in Trade and Investment Agreements"**

Panelists will form opinions about provisions that have worked well and recommend new or changed provisions that may be needed in future trade and investment agreements. While the emphasis will be on regional agreements in the Americas, such as the CAFTA-US Agreement, the Chile-US Agreement, and the NAFTA, the panel will also look to the WTO or other agreements such as the EU for comparison purposes.

Stephen J. Powell, Lecturer in Law & Director of the International Trade Law Program, Center for Governmental Responsibility, Levin College of Law

Everett J. Santos, Chief Executive Officer of the Latin America Group of Emerging Markets Partnership, and Principal Adviser of the AIG-GE Capital Latin American Infrastructure Fund

Michael W. Gordon, Chesterfield Smith Professor of Law, Levin College of Law; Member, Dispute Resolution Panels of both the World Trade Organization and the North American Free Trade Agreement

Gabriela Llobet, Intel, former Deputy Trade Minister of Costa Rica

Luz Estalla Ortiz Nagle, Professor, Stetson University College of Law, DeLand, Florida; and former District Judge in Medellin, Colombia

10:45 Break

11 a.m-  
Noon

Breakout Sessions: Discussions of **Topics I, II, & III**

Each conference participant is assigned Breakout Session A or Breakout Session B. These same groups will meet in breakout sessions in the afternoon. Each breakout session will be assigned a facilitator to moderate the session and a recorder to take notes and prepare a report for distribution before the closing conference session. The purpose of the breakout sessions is to identify template categories for use in analyzing justice systems in selected countries.

Facilitators:

Alison E. Gerencser, Associate Director, Institute for Dispute Resolution, & Legal Skills Professor, Levin College of Law

Jeffrey T. Grater, Legal Skills Professor, Levin College of Law

Noon-  
1:30 p.m.

Luncheon & Plenary Session

*"Justice Reform in the Americas"*

This session will discuss The Justice Studies Center of the Americas's "Report on Judicial systems in the Americas." The report, first published in September 2003, is available on-line at [www.cejamericas.org](http://www.cejamericas.org). It contains a standard set of information for each of the 34 JSCA member nations, which are also the active members of the Organization of American States (OAS). It looks at indicators and provides reference information.

Juan Enrique Vargas, Executive Director, Justice Studies Center of the Americas, Santiago, Chile

Moderator: Kenneth H. (Buddy) MacKay, former Special Envoy of the Americas in the Executive Office of the President of the United States; former Florida Governor, Lieutenant Governor, and U.S. Representative.

1:30-3 p.m.

Plenary Session

Panelists will discuss the importance of a stable justice system in each of the specialized topics.

1:30-2:15 p.m.

**Topic IV: "Role of Justice Reform in Dispute Resolution"**

Meredith Fensom, Fulbright Fellow, Justice Studies Center of the Americas,  
Santiago, Chile

Wayne I. Fagan, Glast, Phillips & Murray, P.C., San Antonio, Texas

Moderator: Don Peters, Professor of Law, Trustee Research Fellow, & Director of  
the Institute for Dispute Resolution, Levin College of Law

2:15-3 p.m.

**Topic V: "Role of Justice Reform in Property Rights"**

Co-Sponsored by University of Florida Center for Latin American Studies

Tom Ankersen, Legal Skills Professor; Director of Conservation Clinic and Costa  
Rica Program, Center for Governmental Responsibility, Levin College of Law

Grenville Barnes, Associate Professor, Civil Engineering, Geomatics Program,  
University of Florida

María Teresa Vázquez Castillo, Visiting Assistant Professor, Pitzer College,  
California

Pedro Moctezuma Barragan, Director of Universidad Autonoma Metropolitana  
(UAM)-Sierra Nevada Research Center, Mexico

Moderator: Carmen Diana Deere, Director, Center for Latin American Studies,  
University of Florida

3 p.m. Break

3:15-

4:15 p.m.

Breakout Sessions. Discussion of **Topics IV & V**

Each conference participant is assigned Breakout Session A or Breakout Session  
B. The groups will meet in same breakout sessions as they did in the morning.  
Each breakout session will be assigned a facilitator to moderate the session and a  
recorder to take notes and prepare a report for distribution before the closing  
conference session. The purpose of the breakout sessions is to identify template  
categories for use in analyzing justice systems in selected countries.

Facilitators: Alison E. Gerencser & Jeffrey T. Grater

4:15-

6:00 p.m.

Closing session

Reports from breakouts. Summary of findings. Planning for 2006 meeting in Peru

Moderator: Jon Mills

Facilitators: Alison E. Gerencser & Jeffrey T. Grater

6 p.m. Adjourn

6:30 p.m. Reception for All Conference Participants.  
Home of Jon & Beth Mills

**Tuesday, May 17 (Optional Session)**

**Terrorism in the Americas**

**Room 180A, Holland Hall, Levin College of Law, University of Florida**

Co-Sponsored by: Centre for International Financial Crimes Studies

The terrorist attacks of September 11, 2001, and the international responses that followed (in some instances), redirected political goals. The subsequent discovery of political will in the war on terrorism changed the intelligence and counter-terrorism infrastructures in the Americas. The Organization of American States in adopting the Inter-American Convention Against Terrorism re-examined the role of terrorism, and, in particular, the ancillary issue of wealth accumulation, money transfer, money laundering and asset forfeitures, in their respective member states. The United Nations, the International Monetary Fund (IMF)/World Bank and the Financial Action Task Force, to name but a few, also responded to the threat by implementing various programs attempting to address the many complex facets of terrorism and organized crime.

The reach of terrorism post-9/11 surfaced publicly in many spheres including the United States, Canada, and Latin America, for example, the tri-border area of Brazil, Paraguay and Argentina, and, in particular, the Paraguayan city of Ciudad del Este, have been linked with activity by Islamic fundamentalist groups such as Hamas and Hezbollah. The latter has financed its terrorist activities by engaging in contraband smuggling, trafficking of narcotics and money laundering. Islamic fundamentalist groups have also been linked to FARC activities in Colombia and narco-trafficking in the Amazonian region of Brazil.

In 2001, there were 194 major terrorist attacks in Latin America. The United State Department of State has identified other problematic areas in the region, including Ecuador's borders that serve as arms and narco-traffic corridors for the Colombian cartels, and Argentina's past troubles with anti-Israeli terrorist attacks.

It is the purpose of this session to review the concept of the rule of law within the context of the OAS membership, and the National Commission on Terrorist Attacks Staff Report on Terrorists Financing. That report raises four significant questions:

1. *Who finances al-Qaeda?* From among other sources: Islamic charities, financial facilitators, non-governmental organizations, and organized crime, to name but a few.
2. *How?* Formal and informal banking systems and cyberlaundering.
3. *Where is it?* Surveillance tactic: disruption of terrorists' financing globally by following, not seizing, the funds.
4. *Why don't nations fighting terrorists have it?* Difficult because of user-friendly states, financial facilities and non-governmental organizations. Furthermore, intelligence collection which, as noted above, entails following the money trail which could be either a strategy or a need for adequate funding to complete the task.

This portion of the Conference will attempt to refocus those questions by placing emphasis upon

the Americas.

8:30 a.m. Welcome  
Fletcher N. Baldwin, Jr., Chesterfield Smith Professor of Law & Director, Centre for International Financial Crimes Studies

Keynote address:

*"The Rule of Law as Understood by the OAS Post 9/11"*

Dennis Jett, Dean of the International Center, University of Florida; Former United States Ambassador to Peru and to Mozambique

9 a.m. *"Financing Terrorism: By Whom, To What Degree of Success, and Why has It Not Been Stopped?"*  
Fletcher N. Baldwin, Jr.

Kenneth H. (Buddy) MacKay, former Special Envoy of the Americas in the Executive Office of the President of the United States; former Florida Governor, Lieutenant Governor, and U.S. Representative

10 a.m. *"Dealing with Terrorism from the North to Latin America; National Response to Terrorism and Narco-Terrorism: Brazil and Canada"*  
Peter German, Chief Superintendent and a member of the Royal Canadian Mounted Police

George Henry Millard, Police Chief of the São Paulo State Police, Brazil

11 a.m. *"Implementation of Programs Employed Within the Rule of Law, to Combat Money Laundering, Organized Crime and Terrorism. Focus: Caribbean Initiative"*  
Alan Lambert, Consultant with the British Foreign & Commonwealth Office and the Caribbean Anti-Money Laundering Programme; former Detective in the United Kingdom

11:45 a.m. Summary  
Jon Mills, Dean Emeritus and Director, Center for Governmental Responsibility, Levin College of Law

Noon Adjourn