FIFTY-FIRST REGULAR SESSION OEA/Ser.P

10 to 12 November 2017 AG/doc.5752/21 rev. 1

Guatemala City, Guatemala 12 November 2021

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Item 9 on the agenda

RESULTS OF THE ELECTIONS OF MEMBERS TO FILL THE VACANCIES OCCURRING   
IN THE ORGANS, AGENCIES, AND ENTITIES OF THE ORGANIZATION[[1]](#footnote-1)/[[2]](#footnote-2)/[[3]](#footnote-3)/[[4]](#footnote-4)/

(Elections held during the third plenary session, on November 12, 2021,

based on the vacancies and candidacies described in document [AG/CP/INF.759/21](http://scm.oas.org/IDMS/Redirectpage.aspx?class=AG/CP/INF.&classNum=759&lang=e) rev. 19)

Inter-American Commission on Human Rights – three (3) members

Joel Hernández García (Mexico) - (27 votes)

Roberta Clarke (Barbados) - (23 votes)

Carlos Bernal Pulido (Colombia) - (21 votes)

Inter-American Court of Human Rights – four (4) members

Rodrigo Bittencourt Mudrovitsch (Brazil) - (19 votes)

Verónica Gómez (Argentina) - (17 votes)

Nancy Hernández López (Costa Rica) - (16 votes)

Patricia Pérez Goldberg (Chile)– (16 votes)

Inter-American Juridical Committee – three (3) members[[5]](#footnote-5)/

Luis García-Corrochano Moyano (Peru) - (by acclamation)

Justice Studies Center of the Americas –– two (2) members

Jenny Willier Murphy (United States) – (by acclamation)

Nadia Franco Bazán (Panama) - (by acclamation)

OAS Administrative Tribunal– one (1) member

Wilson Vallejo Bazante (Ecuador) - (by acclamation)

Board of External Auditors – one (1) member

Dean Evanson (Antigua and Barbuda) - (by acclamation)

FOOTNOTES

1. … session of the General Assembly of the Organization of American States (OAS), which result in acts contrary to international law.

In light of the foregoing, the Government of Mexico wishes to state that the accreditation of delegations participating in the General Assembly represents (1) an act of a declaratory nature whose validity issues from the membership granted to the State concerned; (2) is limited to the material scope of the participation of that delegation in the work of the corresponding body; and (3) does not accord special rights to any government or State in contravention of the provisions of the Charter of the OAS or international law.

The accreditation of any person claiming to represent the Venezuelan State in the framework of the OAS is an act in breach of international law, since the Bolivarian Republic of Venezuela denounced the Charter of the Organization in April 2017, with the result that said Charter ceased to have any effect on that country since April 2019. The legal relationship that Venezuela retains with the Organization is limited, according to the provisions of Article 143 of the Charter, to international obligations pending fulfillment.

The recognition of governments is a sovereign act of States, not of international organizations. The OAS does not possess, nor can it arrogate to itself, powers of collective recognition enforceable as to membership, and therefore any act with such a purpose is beyond the scope of its competence and is null and void.

Therefore, so long as any person remains accredited as Representative of the Bolivarian Republic of Venezuela to the OAS based on ultra vires acts, Mexico will continue to participate and exercise its prerogatives and rights within its organs, agencies, and entities; however, that should not be construed as acquiescence in the recognition of any government.

Accordingly, Mexico declares that it will exercise its right to maintain or suspend diplomatic relations with any country, without qualifying the right of any nation to accept, keep, or change its governments or authorities and without that impacting its participation as a member state of the OAS, nor does it represent any recognition of governments of the Hemisphere.

Consequently, Mexico reserves the right to question the validity of acts and decisions emanating from the organs, agencies, and entities of the Organization when they are contrary to international law, and to express that such acts and decisions are not enforceable upon it where they overstep the scope of competence of the Organization, without prejudice to its rights and obligations as a member state of the Organization.

2. … persons attempting to usurp the legal representation of the Bolivarian Republic of Venezuela and the Legitimate Government of President Nicolás Maduro Moros. We request that this rejection be registered in all documents to be discussed at this fifty-first regular session of the OAS General Assembly.

3. … of Venezuela properly notified the Secretary-General of its denunciation of the Charter in accordance with Article 143 of the Charter of the Organization of American States and the Charter ceased to be in force with respect to the Bolivarian Republic of Venezuela which ceased to belong to the organization on 27 April 2019.

Antigua and Barbuda did not support resolution CP/RES 1124 (2217/19) of April 9, 2019, which sought to appoint Mr. Gustavo Tarre as the National Assembly’s Representative to the OAS and did not accept the credentials of the officials intending to represent the Bolivarian Republic of Venezuela at the 49th, 50th and 51st Regular Sessions of the General Assembly.

Therefore, Antigua and Barbuda notifies all member states and the General Secretariat of the Organization of American States that until further notice, it will not consider itself bound by any declaration or resolution of the 51st Regular Session of the General Assembly or any future declarations or resolutions of any Council or organ of the Organization that includes the participation of any person or entity purporting to speak for, or act on behalf of, the Bolivarian Republic of Venezuela and/or in which an absolute or two thirds majority vote is attained with the participation of a purported representative of the Bolivarian Republic of Venezuela.

4. … elected government of the Bolivarian Republic of Venezuela submitted to the Organization of American States its written denunciation of the Charter of the Organization of American States and, in keeping with the provisions of Article 143 of the said Charter, ceased to be a member of the organization.

Saint Vincent and the Grenadines did not support resolution CP/RES 1124 (2217/19) of April 9, 2019, which, in a procedural travesty, seated the purported representative. Saint Vincent and the Grenadines therefore advises this General Assembly that, until further notice, it reserves its full rights with regard to being bound by any declaration or resolution emanating from this Fifty-first Regular Session of the General Assembly or any future declarations or resolutions of any Council or organ of the Organization when these include the participation of any person or entity purporting to speak for or act on behalf of the Bolivarian Republic of Venezuela, and whose vote enables the attainment of a majority.

5. … to be held after January 15, 2022. Member states wishing to submit nominations must do so by December 15, 2021.

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1. . Mexico once more notes with concern inconsistencies and irregularities in the Report of the Secretary General on the presentation of credentials of the delegations taking part in the fifty-first regular… [↑](#footnote-ref-1)
2. . Nicaragua endorses the statements made by the delegations of Saint Vincent and the Grenadines, the United Mexican States, and the Plurinational State of Bolivia, rejecting the improper accreditation of… [↑](#footnote-ref-2)
3. . Antigua and Barbuda considers that the Bolivarian Republic of Venezuela is not a member state of the Organization of American States since, on 27 April 2017, the Government of the Bolivarian Republic… [↑](#footnote-ref-3)
4. . Saint Vincent places on record its non-recognition and non-acceptance of the credentials of the purported delegation of the National Assembly of the Bolivarian Republic of Venezuela. In 2017, the duly… [↑](#footnote-ref-4)
5. . The General Assembly instructed the Permanent Council to proceed with the election for the two pending vacancies on the Inter-American Juridical Committee during the first regular session... [↑](#footnote-ref-5)