PERMANENT COUNCIL OF THE OEA/Ser.G

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 COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS Original: Spanish

DRAFT RESOLUTION

INTERNATIONAL LAW

TO BE SUBMITTED TO THE GENERAL ASSEMBLY
AT ITS FIFTY-FOURTH REGULAR SESSION

(Agreed upon by the CAJP at its regular session of June 17, 2024)

DRAFT RESOLUTION

INTERNATIONAL LAW

THE GENERAL ASSEMBLY,

REAFFIRMING the norms and general principles of international law and those contained in the Charter of the Organization of American States (OAS); **(Agreed – 06/11/24)**

RECALLING resolution AG/RES. 3005 (LIII-O/23) and all previous resolutions adopted on this subject; **(Agreed – 06/11/24)**

CONSIDERING that the programs, activities, and tasks set out in the resolutions within the purview of the Committee on Juridical and Political Affairs (CAJP) and the Inter-American Juridical Committee (CJI) help to further the essential purposes of the OAS enshrined in its Charter; **(Agreed – 06/11/24)**

RESOLVES:

1. Inter-American Program for the Development of International Law **(Agreed – 06/11/24)**

TAKING INTO ACCOUNT that artificial intelligence is a technology with an as yet unknown impact on people’s lives and their rights, which means that it has to be regulated in order to leverage its benefits and development opportunities and to mitigate the risks and biases inherent to machine-learning algorithms, including impacts on human rights; and highlighting the importance of international law in developing principles and standards that strengthen the efforts of States to implement regulations of this kind at the domestic level; **(Agreed – 06/11/24) (US: will submit a footnote)**

NOTING that in 2023, the United Nations announced the establishment of a High-Level Advisory Body on Artificial Intelligence with the objective of addressing risks, opportunities, and international governance in relation to artificial intelligence; **(Agreed – 06/11/24)**

RESOLVES:

1. To express its appreciation to the Department of International Law for its efforts in the promotion and dissemination of international and inter-American law and to request that it continue organizing analytical and awareness-raising activities on topics that require examination from an international law standpoint, in particular, legal aspects related to the ethical and responsible use of artificial intelligence, as well as the results of the reports of the Inter-American Juridical Committee “Strengthening the accountability regime in the use of information and communication technologies” and “Impact of artificial intelligence-based technologies on human rights, with a special focus on children and adolescents,” so that the staff of permanent missions, public officials in member states, and the staff of OAS organs, agencies, and entities have the appropriate tools to address those topics in a timely, informed, and comprehensive manner, in addition to seeking collaboration from professionals and entities with expertise in such matters, as well as the private sector and other relevant social actors. **(Agreed – 06/11/24)**
2. Inter-American Juridical Committee **(Agreed – 06/11/24)**

CONSIDERING the observations and recommendations of the member states on the annual report of the Inter-American Juridical Committee (CP/doc.5962/24) of April 11, 2024, **(Agreed – 06/11/24)**

RESOLVES:

1. To recognize the latest contributions of the Inter-American Juridical Committee (CJI) to international law, namely, the Declaration of Inter-American Principles on Neuroscience, Neurotechnologies, and Human Rights, document CJI/RES. 281 corr. 1; the Declaration of Inter-American Principles on the Legal Framework for the Creation, Operation, Financing, and Dissolution of Non-profit Civil Entities, document CJI/RES. 282 (CII-O/23) rev. 3; the Report on Compulsory Primary Education, document CJI/RES. 279 (CII-O/23); the Guide to Best Practices in Jurisdictional Cooperation for the Americas, document CJI/doc.696/23 rev. 1; the report “Party Autonomy in International Commercial Contracts with a Weak Bargaining Party: Inherent Challenges and Possible Solutions,” document [CJI/doc.683/23 rev. 2](https://www.oas.org/es/sla/cji/docs/CJI-doc_683-23_rev2_ESP.pdf); the report Private Customary International Law Particularly in the Context of the Americas, document CJI/doc.719/24; and the Guide to Applicable Law in International Investment Arbitration, document CJI/doc.720/24. **(Agreed – 06/11/24)**
2. To instruct the CAJP to give them due consideration and to request that the Department of International Law, as its technical secretariat, continue to disseminate them as widely as possible, including through virtual media. **(Agreed – 06/11/24)**
3. To urge the CJI to continue with the study of the topics requested by the General Assembly, namely the “Legal implications of sea level rise in the inter-American regional context”; “Corporate responsibility of manufacturers and sellers of weapons in the area of human rights”; and the “Update of the 2020 Model Inter-American Law 2.0 on Access to Public Information,” while renewing the invitation to member states to comment in a timely manner and to the extent that their possibilities allow on requests for information from the CJI in order to facilitate the preparation of the reports contained in that agenda. **(Agreed – 06/11/24)**
4. To request the CJI to continue to consider incorporating more topics concerning progressive development of private international law at the regional level on its work agenda and, should it consider it necessary, that it propose to the General Assembly the updating of pertinent legal instruments and/or the adoption of new soft law treaties and agreements that reflect regional practice and particular circumstances and specific needs in relation to private international law and new information and communications technologies, taking into account the results of the special meeting held within the CAJP on February 1, 2024. **(Agreed – 06/11/24)**
5. To request the CJI to continue cementing its collaboration with different international organizations, academia, civil society, and the legal offices and counsels of ministries of foreign affairs in member states in order to strengthen and enrich its work. **(Agreed – 06/11/24)**
6. Private international law **(Agreed – 06/11/24)**

CONSIDERING the exchange of ideas and the results of the special meeting held by the CAJP on February 1, 2024, where strategies for the Organization to resume its activities in the area of codification and progressive development of private international law were discussed on the basis of “Private International Law in the Americas: Achieving Transnational Justice for Individuals” (document CP/CAJP-3667/22), prepared by the Department of International Law of the OAS in accordance with a mandate from the General Assembly; **(Agreed – 06/11/24)**

 UNDERLINING the importance that member states designate points of contact to facilitate the exchange of information on private international law between the Organization and member states; **(Agreed – 06/11/24)**

 RECOGNIZING the fundamental role that the Department of International Law plays in disseminating private international law and facilitating communication between the points of contact designated by member states; **(Agreed – 06/11/24)**

RECOGNIZING the importance of ongoing training in the area of private international law to contribute to greater knowledge of, and familiarity with, this branch of law, as well as to enrich discussions and activities in that regard, with a view to making advances with its codification and progressive development; **(Agreed – 06/11/24)**

RECOGNIZING the key role of the Inter-American Specialized Conference on Private International Law (CIDIP), which between 1975 and 2009 produced 26 different inter-American instruments that have enriched the domestic law and jurisprudence of States in the region on topics such as legal and judicial cooperation among States, as well as civil, family, and commercial relations; and **(Agreed – 06/11/24)**

TAKING INTO ACCOUNT that 2025 marks the fiftieth anniversary of the first CIDIP, held in Panama City in 1975, at which six inter-American conventions on international trade and procedural law were adopted, **(Agreed – 06/11/24)**

RESOLVES:

1. To request the Department of International Law to promote outreach between the points of contact designated by member states, as well as between the areas specializing in private international law of the legal offices of the ministries of foreign affairs and other ministries of member states, in order to coordinate exchanges of information, experiences, challenges, and best practices in the development and application of inter-American private international law. **(Agreed – 06/11/24)**
2. To request the Department of International Law to continue engaging in activities for the promotion of private international law, in collaboration with different actors working in that field, including other international organizations, in order to promote the study and development of private international law and increase knowledge of inter-American instruments and of the work of the inter-American system in that regard. **(Agreed – 06/11/24)**
3. To request the Department of International Law to develop a virtual course on private international law and to urge member states to collaborate, to the extent of their possibilities, with that initiative, while identifying the actors within their respective countries that could best benefit from it. **(Agreed – 06/11/24)**
4. To request the Permanent Council, as part of the commemoration of the fiftieth anniversary of the first Inter-American Specialized Conference on Private International Law (CIDIP), to hold a special meeting to consider whether the inter-American instruments in force in the area of private international law are sufficient to provide up-to-date and timely responses to needs in the region, and to identify strategies to strengthen the capacity of the Organization to continue with the progressive development of this branch of international law; and to request the Department of International Law to prepare a report on the results of the meeting and present it to the Inter-American Juridical Committee for its information. **(Agreed – 06/11/24)**
5. To instruct the Department of International Law, as part of the commemoration of the fiftieth anniversary of the first CIDIP, to organize activities to consider, analyze, and identify areas of opportunity for the work of the Organization in the area of private international law, while highlighting the role of the Inter-American Juridical Committee as an appropriate forum for developing inter-American instruments in that regard. **(Agreed – 06/11/24)**
6. Promotion of and respect for international humanitarian law **(Agreed – 06/11/24)**

RECOGNIZING the full binding nature of international humanitarian law and the obligation of its effective implementation by States, including the armed forces among other actors; **(Agreed – 06/11/24)**

 VOICING CONCERN regarding the constant violations of international humanitarian law that inflict suffering on those affected by armed conflicts, especially the civilian population. **(Agreed – 06/11/24)**

 RECALLING that on October 25, 2022, the Inter-American Juridical Committee approved the Second Report on International Law Applicable to Cyberspace, in which it included the results of its study on the question of the applicability of international humanitarian law in cyberspace; **(Agreed – 06/11/24)**

 RECALLING that in all circumstances, all States Parties to the four universally recognized Geneva Conventions of 1949 and to the States Parties to one or more of the three protocols additional thereto, must respect and ensure respect for their obligations under those agreements, as applicable; **(Agreed – 06/11/24)**

 REAFFIRMING, the particular relevance of the four universally recognized Geneva Conventions of 1949 and their additional protocols, as well as the need to strengthen international humanitarian law by promoting its universal acceptance, and to seek its broadest possible dissemination, and the adoption of national measures for its effective application, including through adjustments to domestic law and as appropriate, and the imposition of penalties on those who commit serious infractions of international humanitarian law, as recalled in Resolution 1 (33IC/19/R1) “Bringing IHL home: A road map for better national implementation of international humanitarian law,” adopted at the 33rd International Conference of the Red Cross and Red Crescent (“Resolution 1”); **(Agreed – 06/11/24)**

 RECOGNIZING the work done by states to implement Resolution 1 through different actions, including organization of and participation in regional conferences, such as the Regional Meeting of National Committees on International Humanitarian Law and Other Similar Entities of the Americas co-organized by the Ministry of Foreign Affairs, International Trade and Worship, the Ministry of Defense, and the National Committee for the Application of International Humanitarian Law of Argentina and the International Committee of the Red Cross (ICRC), held in Buenos Aires, Argentina on September 5 and 6, 2023; **(Agreed – 06/11/24)**

NOTING the Declaration of the Caribbean Community (CARICOM) on Autonomous Weapons Systems adopted on September 6, 2023, which voiced grave concern regarding the ethical, legal, and humanitarian risks associated with autonomous weapons systems and called for prompt efforts to find an internationally binding instrument containing bans and regulations governing such systems. **(Agreed – 06/11/24)**

 HIGHLIGHTING the drafting or commitment to drafting of voluntary reports by several States of the Americas on the implementation of international humanitarian law in their countries; **(Agreed – 06/11/24)**

 UNDERSCORING that 2024 marks the seventy-fifth anniversary of the Geneva Conventions of 1949; **(Agreed – 06/11/24)**

 RECALLING that the 34th International Conference of the Red Cross and Red Crescent will be held from October 28 to 31, 2024; and **(Agreed – 06/11/24)**

 EMPHASIZING the mandate of the ICRC as a neutral, impartial, and independent institution working to protect and assist victims of armed conflicts and its role in situations of violence, and to promote respect for international humanitarian law, as conferred by the four Geneva Conventions of 1949 and by the Statutes of the International Red Cross and Red Crescent Movement, **(Agreed – 06/11/24)**

RESOLVES:

1. To urge member states and parties to armed conflict to observe and comply with their obligations under international humanitarian law, including obligations for the protection of the lives, well-being, and dignity of civilian and the care for sick and wounded combatant persons and protected property, as well as the treatment of prisoners of war. **(Agreed – 06/13/24)**
2. To promote a culture of respect and compliance with international humanitarian law by observing and incorporating its principles and provisions in the decision-making processes at the highest political and military levels, *inter alia,* by promoting their effective implementation within their national security and defense institutions, as well as to share best practices. **(Agreed – 06/11/24)**
3. To invite Member States to consider ratifying or acceding to the treaties and international instruments on international humanitarian law, including those on prohibition restriction, and regulation of the use of certain weapons, especially as regards the destruction of weapons, the clean-up of areas contaminated with explosive remnants of war, due attention to people affected by armed conflicts, as well as related to control over arms trade and, as appropriate, adopt the necessary legislative measures to prevent conduct prohibited under those and other treaties, remembering that International Humanitarian Law applies to all forms of armed conflict and all types of weapons used in armed conflicts: those of the past, those of the present and those of the future, including autonomous weapons systems. **(Agreed – 06/11/24)**
4. To call upon Member States to recognize the dangers of proliferation and unintended escalation, ethical considerations, absence of human control in the use of force and other human and social implications associated with the use of autonomous weapons systems. **(Agreed – 06/13/24)**
5. To urge member states to contribute actively to follow-up on the resolutions adopted at the 33rd International Conference of the Red Cross and Red Crescent, held in Geneva, Switzerland, from December 9 to 12, 2019, in particular, Resolution 1 (33IC/19/R1) “Bringing IHL home: A road map for better national implementation of international humanitarian law,” which recommends measures for a more effective implementation of IHL at the national level, as well as voluntary pledges, for those states that have made them in the framework of that international forum. In that regard, to urge member states to play an active part in the 34th International Conference of the Red Cross and Red Crescent, which will be held in Geneva, Switzerland from October 28 to 31, 2024, and to encourage donor States to provide financial support for delegations so as to ensure that more countries attend the conference. **(Agreed – 06/11/24)**
6. To invite states to share examples of and exchange good practices of national implementation measures taken in accordance with international humanitarian law obligations, including the drafting of voluntary reports on the implementation of international humanitarian law in their countries, as well as other measures that may go beyond state’s international humanitarian law obligations, including by making use of existing tools and national committees and similar entities on international humanitarian law, where they exist. **(Agreed – 06/11/24)**
7. To invite member states to consider accepting the competence of the International Humanitarian Fact-Finding Commission to investigate claims as authorized by Article 90 of the Protocol Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts (Protocol 1). **(Agreed – 06/11/24)**
8. To invite member states to develop and share their position on the manner in which international humanitarian law should protect against the effects of cyber operations, in particular, in relation to the preservation of civil infrastructure from significant disruptions and to the protection of civil data. **(Agreed – 06/11/24)**
9. To invite member states to continue to support the work of national committees, commissions, or other institutional mechanisms responsible for the dissemination and implementation of international humanitarian law and related agencies that advise and assist national authorities in the implementation, development, and dissemination of knowledge of international humanitarian law; and to encourage member states that have not yet done so to consider establishing such an entity and to promote its cooperation with related agencies at the international, regional, and transregional levels, in particular by exchanging information and good practices. **(Agreed – 06/11/24)**
10. To express its satisfaction with the cooperation between the OAS and the ICRC in promoting respect for international humanitarian law and the principles that govern that law; and to urge the General Secretariat to continue to strengthen such cooperation. **(Agreed – 06/11/24)**
11. To request that the General Secretariat, through the Department of International Law and in coordination with the ICRC, organize within the framework of the Committee on Juridical and Political Affairs a new edition of the course for member states, staff of the Organization, and the general public, in order to promote knowledge of and respect for international humanitarian law and related regional instruments, including measures for their effective implementation. **(Agreed – 06/11/24)**
12. International legal framework for arms and ammunition manufacturing, distribution and marketing companies **(Agreed – 06/11/24) (US: will present footnote for the entire section)**

 EXPRESSING CONCERN that violence caused in armed conflicts and its repercussions on the civilian population is aggravated by illicit trafficking and diversion of firearms to which arms and ammunition production, distribution, and trading companies that engage in negligent and non-regulated business practices contribute; **(Agreed – 06/11/24)**

 RECOGNIZING that by implementing due diligence measures along the entire value chain, including risk analysis and end-user tracing, arms and ammunition production, distribution, and trading companies help to prevent armed violence and violations of international humanitarian law, which are exacerbated by the illicit proliferation of weapons; **(Agreed – 06/11/24)**

 EMPHASIZING the primary responsibility of member states to establish robust rules and laws in regulating arms transfers and requiring arms production and trading companies to adopt due diligence measures in the conduct of their activities with regard to the demand that weapons producers and traders comply with due diligence measures in the conduct of their activities; and **(Agreed – 06/11/24)**

 RECALLING that in 2023 the Inter-American Juridical Committee included in its agenda the topic “Responsibility of arms production and trading companies in the area of human rights”,**(Agreed – 06/11/24)**

RESOLVES:

1. To request the Department of International Law to promote as widely as possible the dissemination and consideration of the relationship between international humanitarian law and the impact of illicit trafficking and diversion of firearms and ammunition on the increase in violence during armed conflicts as well as the contribution of arms distribution and trading companies to those phenomena, in collaboration with international law institutions, universities and specialized institutions; and to report to the Committee on Juridical and Political Affairs on the results of those activities. **(Agreed – 06/11/24)**
2. To urge member states to refrain from authorizing the transfer of firearms and ammunition to countries where there is a risk that they will be used to commit or facilitate acts contrary to international humanitarian law. **(Agreed – 06/11/24)**
3. To promote implementation of the Arms Trade Treaty and above all its universalization, especially its objectives of establishing shared international standards for regulating international trade of conventional weapons, as well as the prevention and eradication of the illicit trade in conventional weapons and efforts to prevent their diversion; **(Agreed – 06/11/24)**
4. The law of the sea
5. Sea-level rise in relation to international law **(Agreed – 06/11/24)**

EMPHASIZING the importance for OAS member states of continued discussion of the legal implications of sea level rise, particularly with regard to the law of the sea; **(Agreed – 06/11/24)**

CONSIDERING the importance of promoting exchanges of experience and best practices among OAS member states amid the particular challenges faced by the region in terms of the consequences of sea level rise and its legal implications; **(Agreed – 06/11/24)**

RECOGNIZING the vulnerability faced by developing states, including small island states, as a result of sea level rise; **(Agreed – 06/11/24)**

RECALLING the meetings held within the framework of the Permanent Council and the Committee on Juridical and Political Affairs to analyze the consequences of sea level rise and its legal implications in the region; **(Agreed – 06/11/24)**

BEARING IN MIND that, following the meeting of the Committee on Juridical and Political Affairs held on May 4, 2023, by mandate of the General Assembly, the Inter-American Juridical Committee included in its agenda the item “Legal implications of sea level rise in the inter-American regional context,” in order to consider the particular challenges facing the region in relation to the potential consequences of sea level rise and its legal implications, as well as to examine the response and adaptation measures that member states of the Organization have implemented, **(Agreed – 06/11/24)**

RECOGNIZING the relevance of the issue, which is evidenced by the authoritative interpretation being carried out by the Inter-American Court of Human Rights, in the framework of its Advisory Opinion on the Climate Emergency and Human Rights, **(Agreed – 06/11/24) (US: will submit a footnote)**

RESOLVES:

* 1. To request that the Committee on Juridical and Political Affairs hold, during the first half of 2025, a special meeting to exchange best practices and experience in management of the legal implications of sea level rise in the region, particularly in relation to the law of the sea, the environment, human rights, and statehood, and to instruct the Department of International Law to prepare a report compiling the experience shared at that meeting and submit it to the Inter-American Juridical Committee for consideration, in order to enrich the work of the rapporteur on the topic “Legal implications of sea level rise in the inter-American regional context.” **(Agreed – 06/11/24)**
	2. To urge OAS member states to strengthen regional cooperation on the law of the sea, the environment, human rights, and statehood in order to develop comprehensive strategies and policies to effectively address the legal implications and array of challenges facing the region as a result of sea level rise, with a view to protecting the rights and well-being of its citizens. **(Agreed – 06/11/24)**
1. Conservation and sustainable use of the oceans

 RECOGNIZING that cooperation can facilitate responsible management of marine resources, protect vulnerable ecosystems, promote sustainable development, and ensure that the benefits arising from the oceans are shared fairly and equitably; **(Agreed – 06/11/24)**

 RECOGNIZING that problems concerning the oceans, including that the adverse effects of climate change are closely interrelated and must be addressed holistically; and **(Agreed – 06/11/24)**

 EMPHASIZING that the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdictionwas adopted on June 19, 2023, and will remain open for signature until September 20, 2025, **(Agreed – 06/11/24)**

TAKING NOTE that Costa Rica and France will host the third United Nations Ocean Conference (UNOC) in Nice from June 5 to 14, 2025. This Conference promotes financing and innovations for the implementation of Sustainable Development Goal 14 on “life below water”, as well as other transformative solutions to accelerate action and mobilize all actors to conserve, sustainably use, and improve understanding and knowledge of the ocean, including its biodiversity and ecosystems, as well as continue to advance SDG 14. **(Agreed – 06/11/24)**

RESOLVES:

1. To request the Permanent Council to hold, in the first half of 2025, a special meeting on points of viewto strengthen regional and international coordination and cooperation on ocean governance, especially to ensure the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction, particularly bearing in mind the importance of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction, and to request the Department of International Law to prepare a report on that meeting and present it to the Inter-American Juridical Committee for its consideration. **(Agreed – 06/11/24)**
2. To request the Executive Secretariat for Integral Development to coordinate with the Secretariat for Legal Affairs in evaluating the possibility of fostering training courses on the Agreement in the Framework of the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ Agreement), for officials responsible for this issue in ministries of foreign affairs and other domestic bodies in OAS member states. **(Agreed – 06/11/24)**
3. International law in cyberspace **(Agreed – 06/11/24)**

 REAFFIRMING the applicability of international law in cyberspace and the importance of implementing the voluntary, non-binding norms for responsible state behavior in cyberspace developed by the Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security and adopted by the United Nations General Assembly; **(Agreed – 06/11/24)**

 CONSIDERING the need to guarantee governance and the rule of law in cyberspace, and that the United Nations granted, in resolution A/RES/75/240 of the General Assembly, a mandate until 2025 of the Open-ended Working Group on Developments in the Field of Information and Telecommunications in the Context of International Security until 2025; **(Agreed – 06/11/24)**

 RECALLING the work of the CJI between 2018 and 2022 on the topic “International Law Applicable to Cyberspace,” in particular the responses of OAS member states to the questionnaire distributed in 2019 on “Improving Transparency: International Law and State Cyber Operations”; and **(Agreed – 06/11/24)**

 RECALLING that, on June 14, 2022, the Department of International Law imparted a course on international law applicable in cyberspace for government officials from member states, **(Agreed – 06/11/24)**

RESOLVES:

1. To request the Committee on Juridical and Political Affairs and the Committee on Hemispheric Security to hold a joint meeting to discuss the current state of global discussions on the application of international law in cyberspace, including the possible impact of the use of artificial intelligence in that regard, as well as current and future challenges to the applicability of international law, both in peacetime and in the context of armed conflict, given the existence of various approaches to this topic. **(Agreed – 06/11/24)**
2. To request the General Secretariat, the Inter-American Telecommunication Commission, the Inter-American Committee against Terrorism, and the Inter-American Defense Board to coordinate actions to support member states and offer them assistance in their efforts to, upon request, implement the norms governing the responsible behavior of States in cyberspace endorsed by the General Assembly of the United Nations as well as the strengthening of national capabilities of States to develop their own national positions on implementation of international law in cyberspace. **(Agreed – 06/11/24) (US: will submit a footnote)**
3. To instruct the Department of International Law to disseminate as widely as possible and foster consideration of the CJI reports “Improving Transparency: International Law and State Cyber Operations” and “International Law Applicable to Cyberspace.” **(Agreed – 06/11/24)**
4. Outer space law **(Agreed – 06/11/24)**

 EMPHASIZING that the exploration and use of outer space, including the Moon and other celestial bodies, should only be carried out for the benefit and in the interest of all countries—irrespective of their degree of economic and scientific development—and are incumbent upon humankind as a whole; **(Agreed – 06/11/24)**

 CONSIDERING that in 2021, the Constitutive Agreement of the Latin American and Caribbean Space Agency (ALCE)—an international organization whose objective is to coordinate the space cooperation activities of Latin American and Caribbean countries for the peaceful use and exploration of outer space, the Moon, and other celestial bodies—was opened for signature; **(Agreed – 06/11/24)**

 CONSIDERING that in 2023, the charter of the Ibero-American Network of Aerospace Agencies was signed, with the objective of fostering collaborative work in aerospace science; and **(Agreed – 06/11/24)**

 TAKING NOTE of the incorporation by the Inter-American Juridical Committee of the topic “Approaching the new outer space law,” **(Agreed – 06/11/24)**

RESOLVES:

1. To recognize that the study of outer space is of enormous importance, both for the international community as a whole, and for the Americas region in particular. **(Agreed – 06/11/24)**
2. To request the Committee on Juridical and Political Affairs to, in the framework of a regular meeting, discuss the international legal framework applicable to the impact of satellite constellations on the darkness of the skies and the consequences for astronomical observations, highlighting the inalienable right of all countries to use and explore outer space for peaceful purposes, and recalling that small satellites are a tool for democratizing the use of outer space for peaceful purposes, and to request the Department of International Law to prepare a report on the results of the meeting and present it to the Inter-American Juridical Committee for its consideration. **(Agreed – 06/11/24) (US: will submit a footnote)**
3. To promote concrete steps to identify the interests and objectives of the region in connection with the exploration and use of outer space, including the moon and other celestial bodies so as to combine their efforts and make the most of the resources available for achieving these objectives. **(Agreed – 06/11/24)**
4. To instruct the Department of International Law, with the purpose of strengthening the study of the law of outer space, to raise awareness of this topic and, in its dissemination efforts, to take into account the work of other international bodies, such as the Committee on the Peaceful Uses of Outer Space (CUPUOS) and the United Nations Office for Outer Space Affairs (UNOOSA), as well as the findings of the CJI rapporteur’s report on “Approaching the new outer space law.” **(Agreed – 06/11/24)**
5. Arbitrary detention in state-to-state relations **(title agreed – 06/11/24) (TT: will present a footnote)**

EXPRESSING CONCERN that arbitrary detention in state-to-state relations represents a violation of the human rights of the victims, and has adverse effects on their families, **(Agreed – 06/11/24)**

NOTING the profound negative impact of this practice on the rule of law, the rules-based international order, global peace and security, as well as trade and travel; **(Agreed – 06/11/24)**

RECALLING the principles outlined in the Charter of the Organization of American States and the American Declaration of the Rights and Duties of Man; **(Agreed – 06/11/24)**

RECALLING ALSO that, according to Article 99 of the OAS Charter, the purpose of the Inter-American Juridical Committee is to serve the Organization as an advisory body on juridical matters; to promote the progressive development and the codification of international law; and to study juridical problems related to the integration of the developing countries of the Hemisphere and, insofar as may appear desirable, the possibility of attaining uniformity in their legislation; **(Agreed – 06/11/24)**

 RECALLING FURTHER that the Inter-American Commission on Human Rights has the mandate to promote the observance and protection of human rights in the region and acts as a consultative body to the OAS in such matters; **(Agreed – 06/11/24)**

 CONSIDERING the extension for an additional three years of the mandate of the Working Group on Arbitrary Detention, in accordance with resolution 51/8 adopted by the UN Human Rights Council on October 6, 2022; **(Agreed – 06/11/24)**

 **TAKING NOTE of the Declaration against Arbitrary Detention in State-to-State Relations issued on February 15, 2021, which reaffirms the importance of protecting individuals from arbitrary arrest and detention, as set forth in the American Declaration of the Rights and Duties of Man and other relevant international instruments, as well as the establishment, in January 2024, of an Independent International Panel on Arbitrary Detention in State-to-State Relations, composed of seven eminent jurists, who are expected to present recommendations on the subject in the coming months; (Agreed – 06/11/24)**

 HIGHLIGHTING that, states parties to the American Convention on Human Rights have the obligation to respect and protect the human rights of all individuals under their jurisdiction, including protection against arbitrary detentions; **(Agreed – 06/11/24)**

EMPHASIZING that the International Court of Justice has stated that “there is no more fundamental requirement for the conduct of relations between States than the inviolability of diplomatic envoys and embassies” **(Agreed – 06/17/24)**

RESOLVES:

1. To urge member states to combat arbitrary detentions in state-to-state relations, which are incompatible with the Universal Declaration of Human Rights and other international instruments. **(Agreed – 06/11/24)**
2. To call upon all States to respect and protect the right to personal liberty, as well as to respect and fulfill their obligations and responsibilities under international law. **(Agreed – 06/11/24)**
3. To request the Committee on Juridical and Political Affairs (CAJP) to invite experts of the inter-American system and others with recognized expertise on the subject of arbitrary detention in state-to-state relations to a meeting and to report the conclusions and recommendations thereof to the Permanent Council. **(Agreed – 06/11/24)**
4. To request the Permanent Council, during one of its regular sessions, to hold a discussion on human rights, international law, and global peace and security dimensions of arbitrary detention in state-to-state relations, the implications of this practice for the Americas, and how member states might support collective response and deterrence efforts, taking into account the report prepared by the CAJP, and to transmit its conclusions to the General Assembly of the Organization of American States at its fifty-fifth regular session. **(Agreed – 06/11/24)**

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