FIFTY-FIRST REGULAR SESSION OEA/Ser.P

November 10 to 12, 2021 AG/doc.5723/21 rev. 2

Guatemala City, Guatemala 12 November 2021

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 Item 1 on the agenda

AGENDA FOR THE FIFTY-FIRST REGULAR SESSION OF THE GENERAL ASSEMBLY[[1]](#footnote-1)/[[2]](#footnote-2)/[[3]](#footnote-3)/[[4]](#footnote-4)/

(Adopted at the first plenary session held on November 11, 2021)

1. Adoption of the draft agenda for the General Assembly
2. Adoption of the recommendations of the Preparatory Committee of the fifty-first regular session of the General Assembly
3. Annual report of the General Secretariat on the activities and financial condition of the Organization
4. Report of the Secretary General on Credentials
5. Annual Report of the Permanent Council
6. Annual Report of the Inter-American Council for Integral Development (CIDI)
7. Observations and recommendations of the Permanent Council on the annual reports of the organs, agencies, and entities of the Organization
	1. Inter-American Council for Integral Development (CIDI)
	2. Inter-American Juridical Committee (CJI)
	3. Inter-American Commission on Human Rights (IACHR)
	4. Inter-American Court of Human Rights
	5. Inter-American Institute for Cooperation on Agriculture (IICA)
	6. Pan American Health Organization (PAHO)
	7. Administrative Tribunal (TRIBAD)
	8. Inter-American Commission of Women (CIM)
	9. Inter-American Telecommunication Commission (CITEL)
	10. Inter-American Drug Abuse Control Commission (CICAD)
	11. Inter-American Children’s Institute (IIN)
	12. Pan American Institute of Geography and History (PAIGH)
	13. Justice Studies Center of the Americas (JSCA)
	14. Inter-American Committee against Terrorism (CICTE)
	15. Inter-American Defense Board (IADB)
8. Determination of the place and date of the fifty-second regular session of the General Assembly
9. Election of officers of organs, agencies, and entities of the Organization
	* 1. Three members of the Inter-American Commission on Human Rights (IACHR)
		2. Four members of the Inter-American Court of Human Rights
		3. Three members of the Inter-American Juridical Committee (CJI)
		4. Two members of the Justice Studies Center of the Americas (JSCA)
		5. One member of the Administrative Tribunal (TRIBAD)
		6. One member of the Board of External Auditors
10. The Question of the Malvinas Islands
11. Draft resolution “Promotion and Protection of Human Rights”
12. Draft resolution “Strengthening Democracy”
13. Draft resolution “International Law”
14. Draft resolution “Advancing Hemispheric Security: A Multidimensional Approach”
15. Draft resolution “Program-Budget of the Organization for 2022”
16. Draft resolution “Support for and Follow-up to the Summits of the Americas Process”
17. Draft resolution “Increasing and Strengthening the Participation of Civil Society and Social Actors in the Activities of the Organization of American States and in the Summits of the Americas Process”
18. Draft resolution “Advancing Hemispheric Initiatives on Integral Development: Promoting Resilience”
19. Draft resolution “Coordination of Volunteers in the Hemisphere in Response to Disasters and the Fight against Hunger and Poverty – White Helmets Initiative”
20. Draft resolution “Inter-American Business Charter”
21. Draft resolution “The Key Role of the Organization of American States in Advancing Telecommunications/Information and Communication Technologies through the Inter-American Telecommunication Commission”
22. Draft resolution “Initiatives to expand Telecommunications/Information and Communication Technologies in Rural and Unserved or Underserved Areas”
23. Advancing Disaster Resilience in the Hemisphere
24. The Situation in Nicaragua[[5]](#footnote-5)/
25. Developments in the COVID-19 pandemic and its impact on the Hemisphere
26. Renewed Commitment to Sustainable Development in the Americas Post-COVID 19
27. The Situation in Haiti

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. … “The situation in Nicaragua” on the agenda of the General Assembly. The Government of the Republic of Nicaragua denounces and condemns this interference and demands respect for its integrity and national sovereignty.

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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 Permanent Mission of the Republic of Nicaragua rejects and objects to the proposal presented by Canada, Colombia, Costa Rica, the United States and Paraguay to include the item entitled… [↑](#footnote-ref-5)