FIFTY-FIRST REGULAR SESSION OEA/Ser.P

November 10 to 12, 2021 AG/doc.5724/21 rev. 2

Guatemala City, Guatemala 12 November 2021

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 Item 2 on the agenda

RECOMMENDATIONS ON PROCEDURE 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)

The Preparatory Committee of the General Assembly submits to the General Assembly for consideration the following recommendations on procedural matters for the fifty-first regular session:

* + Format: In accordance with resolution [CP/RES. 1180](file:///C%3A%5C%5CUsers%5C%5CRCortes%5C%5CAppData%5C%5CLocal%5C%5CMicrosoft%5C%5CWindows%5C%5CINetCache%5C%5CContent.Outlook%5C%5CQMAX39LH%5C%5C2338%5C%5C21%29) (2338/21), the fifty-first regular session of the General Assembly will be held virtually. The plenary sessions, as well as meetings of the General Committee, working groups and other events within the framework of the General Assembly will be held by virtual means.
* Agreement on the duration of the Assembly session (Article 20 of the Rules of Procedure of the General Assembly): The fifty-first regular session of the General Assembly will begin on Wednesday, November 10 and end on Friday, November 12, 2021.
	+ Member states should send their letters of accreditation with the number of delegates they wish to include.
	+ For technical reasons, a maximum of 5 delegates only will be admitted to the plenary sessions, which will be broadcast live; a maximum of 10 delegates may enter the meetings of the General Committee.
	+ Delegations should provide the names and e-mail addresses of their accredited delegates to the plenary sessions and the General Committee.
	+ Permanent observers should send their letters of accreditation with their delegation. For technical reasons, only one delegate per permanent observer, or up to two delegates per permanent observer with a permanent representative to the OAS, may join the plenary sessions and meetings of the General Committee.
	+ Maximum length of statements by heads of delegation (Article 18 of the Rules of Procedure of the General Assembly): The maximum duration of statements by heads of delegation at plenary sessions will be 6 minutes.
	+ That requests for the floor during plenary sessions be made using the KUDO platform and the Chair will offer the floor in the order of requests.
	+ That for the Dialogue of Heads of Delegation during the plenary, speakers will be recognized in the order of precedence established by lots at the virtual meeting of the Preparatory Committee of September 15, 2021 ([AG/doc. 5720/21](http://scm.oas.org/doc_public/english/HIST_21/AG08316e03.docx))
* Delegations wishing to do so may send their presentations pre-recorded for the dialogue of Heads of Delegation. These would then be broadcast at the relevant session in the order of precedence established; the video should be a maximum of 6 minutes long, in mp4 format, 720p or 1080p frame rate 30 or 60 hz resolution.
	+ Agreement on the time limit for the presentation of proposals: In keeping with Articles 20 and 37 of the Rules of Procedure of the Assembly, the deadline for proposals to be submitted will be 9:00 a.m. on Tuesday, November 10, 2021.
	+ In accordance with Article 73 of the Rules of Procedure of the General Assembly, elections shall be by secret ballot except when they are by acclamation. Elections shall be conducted in person according to the agreed logistics prepared to that end by the Secretariat ([AG/CP/SUB.TP-293/21](http://scm.oas.org/doc_public/english/hist_21/AG08345E03.docx) rev. 1).
	+ Agreement on the minutes of the meetings (Articles 20 and 77 of the Rules of Procedure of the General Assembly): In accordance with the provisions of Article 77 of the Rules of Procedure of the General Assembly, the minutes of the plenary sessions would be verbatim and those of the General Committee, should the General Assembly install it, would be summary.
	+ Agreement on recordings (Recommendation No. 1 of the Report of the Inspector General [SG/OIG/AUD/13-11] of September 26, 2013): With regard to the recordings of the meetings held at the upcoming session of the General Assembly, to instruct the General Secretariat to take all necessary steps internally to ensure that the audio of all sessions held during the fifty-first regular session of the General Assembly be duly recorded, stored, and preserved (including with spare/back-up copies), to be subsequently made available to the member states upon request.

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.

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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)