FIFTY-FIRST REGULAR SESSION OEA/Ser.P

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 Item 4 on the agenda

REPORT OF THE SECRETARY GENERAL ON
THE PRESENTATION OF CREDENTIALS OF THE DELEGATIONS
TAKING PART IN THE FIFTIETH REGULAR SESSION

OF THE GENERAL ASSEMBLY[[1]](#footnote-1)/[[2]](#footnote-2)/[[3]](#footnote-3)/[[4]](#footnote-4)/[[5]](#footnote-5)/[[6]](#footnote-6)/[[7]](#footnote-7)/[[8]](#footnote-8)/[[9]](#footnote-9)/[[10]](#footnote-10)/

 Pursuant to Article 27 of the Rules of Procedure of the General Assembly, I hereby inform the plenary that all the credentials presented by the delegations of the member states and permanent observers have been received and registered.

 Also registered in due form were the credentials of the representatives of the organs, agencies, and entities of the inter-American system, regional and subregional governmental inter-American entities and agencies, United Nations specialized agencies, other international organizations, and special guests.

 The names of all the participants in this regular session of the General Assembly are shown in the List of Participants.[[11]](#footnote-11)/

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. … international law and the principle of regional integration. In 2017, the Bolivarian Republic of Venezuela, in the exercise of its sovereign right, denounced the Charter of the Organization of American States, which, under article 143, ceases to remain in effect two years after it is denounced in respect to the state denouncing it, which ceases to be part of the Organization.

Since four years have passed since the Bolivarian Republic of Venezuela denounced the Charter, there is no room for recognizing any delegation of that State. This action by the General Secretariat undermines the legality of acts by the Organization of American States and openly violates the sovereignty of states. For that reason, the Plurinational State of Bolivia observes and does not accept the credentials of a delegation allegedly representing the Bolivarian Republic of Venezuela.

3. … 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.

4. … 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.

 5. … April 2017 of that country’s decision to denounce the Organization’s Charter.

Consequently, the Bolivarian Republic of Venezuela has ceased to be a member of the Organization, so that Argentina considers it necessary to assess the situation and is, in any case, unable to recognize the credentials of any designated representative of Venezuela at this General Assembly.

6. … OAS which stipulates that its denunciation by a Member States shall come into effect two years after the receipt thereof, at which time it will cease to be in force with respect to the denouncing state, which shall be left without rights and duties and unattached from all actions and decisions of the Organization.

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 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.

Therefore, Antigua and Barbuda rejects the validity of the credentials of a purported representative of Venezuela to the 51st General Assembly and any organs of the Organization, particularly the Permanent Council, and, will not recognize or be bound by any declaration, resolution or statement of any organ of the OAS that relies, for an absolute or two-thirds majority, on a vote from the purported Venezuelan representative.

7. … Representative to the OAS and does not accept the credentials of the officials intending to represent the Bolivarian Republic of Venezuela at this fifty-first regular session of the General Assembly of the OAS. The Government of Belize therefore reserves its rights, until further notice, not to be bound by any decisions or resolutions adopted at this General Assembly in which the Bolivarian Republic of Venezuela participated.

8. … Organization of American States and therefore, reserves its rights, until further notice, not to recognize or be bound by, any decisions, declarations or resolutions adopted at this General Assembly in which such parties have participated.

9. … law, no other entity can validly assume the representation of the Government of that country.

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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. . Bolivia states with concern that the report by the Secretary General on the presentation of credentials by the delegations taking part in the 51st regular session of the General Assembly contradicts… [↑](#footnote-ref-2)
3. . 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-3)
4. . 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-4)
5. . The Republic of Argentina understands that the Bolivarian Republic of Venezuela withdrew from the Organization of American States when President Nicolas Maduro notified the General Secretariat in… [↑](#footnote-ref-5)
6. . The acceptance of credentials of any person or entity purporting to represent a Member State that has withdrawn from the Organization of American States is contrary to article 143 of the Charter of the… [↑](#footnote-ref-6)
7. . The Government of Belize 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 designated Permanent… [↑](#footnote-ref-7)
8. . The Government of Saint Lucia does not accept the credentials of parties claiming to represent the Bolivarian Republic of Venezuela at this Fifty-first Regular Session of the General Assembly of the… [↑](#footnote-ref-8)
9. . Peru maintains diplomatic relations with the Bolivarian Republic of Venezuela. The Bolivarian Republic of Venezuela ceased to be a member state of the OAS, and therefore, in accordance with international… [↑](#footnote-ref-9)
10. . The delegation of Trinidad and Tobago announced that it will submit a footnote. [↑](#footnote-ref-10)
11. . Published separately as document [AG/doc. 5743/21](http://scm.oas.org/doc_public/SPANISH/HIST_21/AG08458T03.docx) rev. 1 [↑](#footnote-ref-11)