

INTERNATIONAL LAW

i. Inter-American Program for the Development of International Law

TAKING INTO ACCOUNT the report that the Department of International Law, within the framework of the Inter-American Program for the Development of International Law of the Secretariat for Legal Affairs adopted by resolution AG/RES. 1471 (XXVII-O/97) and updated by resolution AG/RES. 2660 (XLI-O/11), presented to the Committee on Juridical and Political Affairs at its meeting of January 30, 2020, on activities carried out for the promotion and dissemination of international law among member states in collaboration with agencies and organizations engaged in this area; and

REAFFIRMING the applicability of international law to cyberspace and the importance of implementing voluntary, nonbinding norms for responsible State behavior in cyberspace as set forth in the consensus reports of the United Nations Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security,

RESOLVES:

1. To express its appreciation for the work of the Department of International Law in the promotion, study, and dissemination of legal tools and to request that it continue to implement the actions contained in the Inter-American Program for the Development of International Law and to provide a biennial report thereon to the Committee on Juridical and Political Affairs (CAJP).

2. To instruct the Department of International Law to explore, together with member states, technical means to advance the harmonization of rules in the private international law sphere, taking into account the activities envisaged in the Inter-American Program for the Development of International Law and, in doing so, to enlist the cooperation of other actors interested in promoting and applying private international law as a cooperation tool to seek to reactivate the economy, strengthen small businesses, resolve conflicts between individuals, and provide legal certainty to private, cross-border activities of all persons in the Hemisphere.

3. To request the Permanent Council to hold a special meeting in Washington, D.C., on a date to be determined in due course, to promote the study of private international law in the Americas, possibly with the participation of organizations specializing in that field to be invited by agreement among the member states.

4. To request the Department of International Law to promote technical training, cooperation and exchange of knowledge with the ministries of foreign affairs and international development of member states, where appropriate by remote means, based on international good practices at the behest of the interested member state.

5. To instruct the CAJP to hold, prior to the fifty-second regular session of the OAS General Assembly, a meeting to reflect collectively on the principles of international law on which the inter-American System is founded, as the normative framework that governs the work of the OAS and relations between member states, and to instruct the Department of International Law subsequently to prepare a report on the main outcomes of that meeting to be presented to the Inter-American Juridical Committee (CJI).

6. To instruct the CAJP to hold, prior to the fifty-second regular session of the General Assembly, a meeting to reflect collectively on strengthening the accountability regime in the use of information and communication technologies (ICTs) and instruct the Department of International Law to later prepare a report on its main outcomes and provide it to the CJI.

7. To instruct the CAJP to hold, prior to the fifty-first regular session of the General Assembly, a meeting to reflect collectively on the exceptional use of force in the inter-American context and instruct the Department of International Law to later prepare a report on its main outcomes and provide it to the CJI.

8. To instruct the CAJP to hold, prior to the fifty-first regular session of the General Assembly, a meeting to reflect collectively on the inviolability of diplomatic premises as a principle of inter-American relations and its relationship to the notion of diplomatic asylum and instruct the Department of International Law to later prepare a report on its main outcomes and provide it to the CJI.^{1/}

9. To encourage member states and permanent observers to mark, in 2021, the sixtieth anniversary of the 1961 Vienna Convention on Diplomatic Relations.

1. The United States is not a party to the 1954 OAS Convention on Diplomatic Asylum and does not recognize the practice of diplomatic asylum as a matter of international law. In rare, exceptional circumstances, the United States has extended temporary refuge or protection in its diplomatic missions to persons who face serious, imminent danger. The granting of asylum is not recognized as a diplomatic function under the Vienna Convention on Diplomatic Relations (VCDR) or customary international law. To use embassies as havens for asylum of nationals of the host country might invite charges of violating provisions of the VCDR that prohibit diplomatic personnel from interfering in the internal affairs of the host country and from using embassy premises in any way incompatible with the functions of the embassy.