

AG/RES. 2990 (LII-O/22)

INTERNATIONAL LAW

(Adopted at the fourth plenary session, held on October 7, 2022)

ii. Private international law

TAKING INTO ACCOUNT the rich exchange of ideas and the results of the special meeting held by the CAJP on July 14, 2022, where strategies for the Organization to resume its activities in the area of codification and progressive development of private international law were discussed;

TAKING NOTE of the document “Private International Law in the Americas: Achieving Transnational Justice for Individuals” (document [CP/CAJP-3667/22](#)) prepared by the OAS Department of International Law by mandate of the General Assembly on the occasion of the special meeting of the CAJP, as well as the specific proposals contained therein;

RECOGNIZING the importance of the role of private international law for sustainable development, in particular for the achievement of the United Nations Sustainable Development Goals,

RESOLVES:

1. To request the CAJP to hold another special meeting to continue discussing strategies for the Organization to continue and to strengthen its activities in the area of codification and progressive development of private international law, as well as to evaluate the concrete proposals contained in document CP/CAJP-3667/22 prepared by the Department of International Law and those that the member states may decide to put forward.

2. To request the Department of International Law, for the purpose of strengthening the study of private international law, to continue, in coordination with the permanent missions of member states, to promote greater dissemination of this subject among public officials of member states, including the judiciary, and other actors, in collaboration with private international law associations, universities and specialized institutions that work in this area, through events and activities that promote greater knowledge of the inter-American and universal conventions on the subject, as well as: soft-law instruments on private international law, and to request member states to collaborate to the best of their ability with this initiative by identifying the actors within their respective countries that could best benefit from it and to inform the Department of International Law accordingly.

3. To welcome the project on the establishment of a jurisprudence database on the application of inter-American conventions on private international law for the purpose of promoting harmonization in the interpretation and application of inter-American instruments proposed by the Department of International Law at the special meeting of the CAJP of June 14, 2022, and to encourage member states to designate points of contact so that, to the best of their ability, they may provide the relevant information for the Department to implement said project.

4. To request the Department of International Law to continue organizing joint meetings annually with 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 learn about the specific needs of member states as regards codification and progressive development of private international law in the region and to

promote new developments in this area, and, in that connection, to request that member states continue to promote the participation of those specialized areas in such meetings.

5. To renew the request to states parties to the various inter-American conventions on legal and judicial cooperation, if they have not already done so, to designate the respective central authorities for the purpose of facilitating and promoting such cooperation, or to update the information for the central authorities already designated.

6. To instruct the Department of International Law, while trying to avoid overlap, to continue working in cooperation with other international agencies such as the United Nations Commission on International Trade Law (UNCITRAL), the Hague Conference on Private International Law (HCCH), and the International Institute for the Unification of Private Law (UNIDROIT), in order to generate common proposals to reactivate activities related to the study and development of private international law and to promote, within those agencies, the work that has been carried out in the inter-American system. At the regional level, to continue to work closely with the regional offices of those forums, including the Regional Office for Latin America and the Caribbean of the Hague Conference on Private International Law, in order jointly to address issues currently being discussed within the expert groups of those forums.

7. To encourage Member States to join the actions presented in document CP/CAJP-3667/22, with a view to ensuring a more active participation in future activities for the progressive development of private international law in the region, and to encourage them to join the efforts in other multilateral forums in order to strengthen the position of the Hemisphere in the negotiation of new instruments.

iii. Inter-American Juridical Committee

CONSIDERING the observations and recommendations of the member states on the Annual Report of the Inter-American Juridical Committee, contained in document [CP/CAJP-3683/22](#) of July 22, 2022;

TAKING INTO ACCOUNT that during its one hundredth regular session held in Lima, Peru, in May 2021, the Inter-American Juridical Committee adopted the “Declaration of the Inter-American Juridical Committee on International Law on the Occasion of its Hundredth Regular Session” [CJI/DEC. 02 (C-O/22)],

RESOLVES:

1. To highlight the importance of the latest contributions of the Inter-American Juridical Committee (CJI) to international law and to request that the Department of International Law, as its technical secretariat, continue to disseminate these documents and those pertaining to other topics on its work agenda as widely as possible, including through virtual media.

2. To request the CJI to continue making progress with its agenda and to renew 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 to facilitate the preparation of the reports contained in that agenda.

3. To request the CJI to continue considering more topics concerning the analysis of private international law on its work agenda in order to reactivate activities related to the development of this area at the regional level and, if necessary, to propose to the General Assembly the updating of some of the legal instruments in this area and/or propose new convention or protocol texts that may be submitted for consideration by the General Assembly that reflect the practice of States and the particular circumstances

and specific needs of the region in relation to private international law and new communication technologies and transmission of data and information.

4. To recognize the need to move forward with the administrative and budgetary strengthening of the CJI to ensure that it can fulfill the multiple mandates that it receives, and to reiterate to the General Secretariat the request that it reinstate the position of executive secretary of the CJI or establish alternative means for such administrative and budgetary strengthening.

5. To request the CJI to continue cementing its collaboration with different international organizations, academia, and civil society, highlighting the importance of continuing to strengthen exchanges with the legal offices and counsels of ministries of foreign affairs in member states in order, thereby, to gather the opinions of member states on developments in the work of the CJI.

RESOLVES: