

AG/RES. 2221 (XXXVI-O/06)

STRENGTHENING OF THE NATIONAL HUMAN RIGHTS SYSTEMS OF THE
MEMBER STATES AND SUPPORT FOR THE WORK OF DEFENDERS OF
THE PEOPLE, DEFENDERS OF THE POPULATION, AND HUMAN RIGHTS
ATTORNEYS OR COMMISSIONERS (OMBUDSMEN)

(Adopted by the Plenary at its fourth session, held on June 6, 2006)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT resolution AG/RES. 2132 (XXXV-O/05), “Strengthening of the National Human Rights Systems of the Member States and Support for the Work of Defenders of the People, Defenders of the Population, and Human Rights Attorneys or Commissioners (Ombudsmen),” whereby it recognized the importance of national systems for the promotion and protection of human rights in safeguarding the rights of the individual;

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.../06 add. 3);

TAKING INTO ACCOUNT that in the Charter of the Organization of American States, as well as the American Convention on Human Rights and the American Declaration of the Rights and Duties of Man, the member states proclaimed the fundamental rights of the individual without distinction as to race, nationality, creed, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition;

AFFIRMING ALSO that the member states, whether in their national constitutions or under their domestic law, have recognized the universal, indivisible, and interdependent nature of human rights and the obligation to respect and protect the rights and fundamental freedoms of human beings;

TAKING INTO ACCOUNT that the fundamental objective of national systems for the promotion and protection of human rights is to safeguard the rights of the individual;

BEARING IN MIND the Principles relating to the Status of National Institutions, “Paris Principles,” adopted by the United Nations General Assembly in its resolution 48/134, of December 20, 1993;

REAFFIRMING the importance of the inter-American human rights system, whose organs have competence to promote the observance of human rights in all member states of the Organization, in accordance with the commitments undertaken by each state, and which operate in a manner subsidiary to national jurisdictional systems;

TAKING INTO ACCOUNT that all member states have the obligation to promote and protect human rights and fundamental freedoms, without distinguishing among the specific national and regional characteristics and the different historical, cultural, and religious backgrounds of all states, regardless of their political, economic, and cultural systems; and recognizing that democracy is a universal value and there is no single model of democracy;

RECALLING resolutions AG/RES. 1505 (XXVII-O/97), AG/RES. 1601 (XXVIII-O/98), and AG/RES. 1670 (XXIX-O/99), in which the General Assembly recognized the work of ombudsmen in the Hemisphere, a concept recognized in the law of member states with names such as defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners, and also renewed its support for the work of the Ibero-American Federation of Ombudsmen;

RECALLING the message transmitted by the Office of the United Nations High Commissioner for Human Rights through resolution 2005/74 (National institutions for the promotion and protection of human rights), which, in paragraph 12, “[w]elcomes the continuation of the practice of national institutions convening regional meetings” and encourages national institutions, in cooperation with the Office of the High Commissioner, “to continue to organize similar events with Governments and non-governmental organizations in their own regions”;

UNDERSCORING ALSO the work done by the Caribbean Ombudsmen’s Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, and the Central American Ombudsman Council;

RECALLING the exhortation contained in the aforementioned resolutions that member states of the inter-American system adopt measures to ensure that the defenders of the people, defenders of the population, human rights attorneys, and human rights commissions enjoy political, administrative, and financial independence; and

TAKING INTO CONSIDERATION the Plan of Action of the Third Summit of the Americas, held in Quebec City, Canada, as it pertains to strengthening the capacity of national institutions responsible for the promotion and protection of human rights,

RESOLVES:

1. To reaffirm the fundamental importance of national human rights systems for the promotion and protection of human rights in strengthening the rule of law and social justice for the consolidation of democracy.
2. To reiterate its support for the politically, administratively, and financially independent work of the ombudsmen or defenders of the people, defenders of the population, human rights attorneys, and human rights commissioners in the countries of the Hemisphere, in the promotion and protection of human rights.
3. To recommend to member states that do not yet have institutions of the kind to which this resolution refers that they consider the possibility of establishing and operating them within the framework of their legal order.
4. To encourage the governments and organs of the inter-American system to promote the establishment of forums for dialogue between the institutions of the kind to which this resolution refers and the pertinent organs of the inter-American system, in order to strengthen their contribution to the democratic order in the Hemisphere.

5. To renew OAS support for the work of the Ibero-American Federation of Ombudsmen, the Caribbean Ombudsmen's Association, the Network of National Human Rights Institutions of the Americas, the Andean Council of Ombudsmen, and the Central American Ombudsman Council.

6. To reiterate to the Committee on Juridical and Political Affairs of the Permanent Council that it should consider inviting the institutions of the kind to which this resolution refers to participate in the dialogue to be conducted among the member states on human rights topics, for the reason that their presence is necessary.

7. To request the Permanent Council to report to the General Assembly at its thirty-seventh regular session on the implementation of this resolution, which will be carried out within the resources