

IV. OTHER INTER-AMERICAN BODIES

Inter-American Juridical Committee

The Inter-American Juridical Committee is one of the organs through which the Organization of American States (OAS) accomplishes its purposes (Article 53 of the Charter). Under Chapter XIV of the Charter, its composition, powers, and functions are as follows: it serves as an advisory body to the Organization on juridical matters, promotes the progressive development and codification of international law, and studies juridical problems related to the integration of the developing countries of the Hemisphere.

In 2006, the Inter-American Juridical Committee held two regular sessions: the first was at OAS headquarters in Washington, D.C., March 20 through 31, 2006; the second was at Committee headquarters in Rio de Janeiro, August 7 through 25. At both meetings, the Committee's agenda was as follows: the International Criminal Court; legal aspects of the interdependence between democracy and economic and social development; preparation for the commemoration of the centennial of the Inter-American Juridical Committee; Seventh Inter-American Specialized Conference on Private International Law (CIDIP-VII); considerations on the task of codifying and harmonizing international law in the Americas; right to information: access to and protection of information and personal data; principles of judicial ethics; legal aspects of inter-American security; joint efforts of the Americas in the struggle against corruption and impunity; follow-up to the implementation of the Inter-American Democratic Charter; preparation of a Draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance; and thoughts on the challenges of the Inter-American Juridical Committee. The Inter-American Juridical Committee approved reports and adopted resolutions on all these topics.

The membership of the Committee in 2006 was as follows: Jaime Aparicio (Bolivia), José Manuel Delgado (Venezuela), Alonso Gómez-Robledo (Mexico), Mauricio Herdocia (Nicaragua), Jean-Paul Hubert (Canada), Galo Leoro (Ecuador), Luis Marchand (Peru), Antonio Pérez (United States), João Grandino Rodas (Brazil), Ana Elizabeth Villalta (El Salvador), and Eduardo Vio (Chile). With the resignation of Dr. José Manuel Delgado on October 12, 2006, the Permanent Council of the OAS elected Dr. Freddy Castillo Castellanos (Venezuela) to serve out Dr. Manuel Delgado's term. At its thirty-sixth regular session (Santo Domingo, June 2006), the OAS General Assembly elected the following persons to membership on the Juridical Committee: Dr. Hyacinth Evadne Lindsay (Jamaica); Dr. Jorge Palacios Treviño (Mexico); and Dr. Ricardo Seitenfus (Brazil). The four-year terms of these three members of the Committee began on January 1, 2007. The outgoing members of the Committee, whose terms ended on December 31, 2006, were Dr. Alonso Gómez-Robledo, Dr. Luis Marchand, and Dr. João Grandino Rodas.

At the regular session of the OAS General Assembly, the President of the Inter-American Juridical Committee, Dr. Mauricio Herdocia, presented the Annual Report on the work the Committee accomplished in 2005. The following staff of the OAS General Secretariat provided technical and administrative support to the Inter-American Juridical Committee: Jean-Michel Arrighi, Director of the Department of International Legal Affairs, Dante M. Negro, Director of the Office of International Law, and Manoel Tolomei Moletta, Principal Legal Officer with that office.

2006 was the 100th anniversary of the Inter-American Juridical Committee. Various activities were held to commemorate the occasion, salient among them the solemn meeting that the Permanent Council held in March 2006, with members of the Juridical Committee in attendance, and the commemorative ceremonies staged at the Committee's headquarters in Rio de Janeiro in August.

Lastly, in coordination with the Office of International Law of the Department of International Legal Affairs, the Inter-American Juridical Committee organized the thirty-third Course on International Law from July 31 to August 25, 2006. Participating were 26 professors from various countries in the Americas and Europe, 30 OAS scholarship recipients, selected from over 100 applicants, and 11 students who paid their own tuition. The central theme of the course was: "International Law in the Americas: 100 Years of the Inter-American Juridical Committee."

Inter-American Commission on Human Rights

The Inter-American Commission on Human Rights (IACHR) was created by a resolution of the Fifth Meeting of Consultation of Ministers of Foreign Affairs in Santiago Chile, in 1959. It was formally established in 1960 when the Council of the Organization approved its Statute. Its Rules of Procedure, first adopted in 1980, were amended several times thereafter, most recently in 2000.

The Inter-American Commission on Human Rights is one of the two organs of the inter-American system charged with promoting and protecting human rights. Its seven members are elected by the General Assembly and serve in an individual capacity. They have four-year terms and may be re-elected one time only.

Sessions

The Inter-American Commission on Human Rights met three times in 2006. It held its 124th regular session from February 27 through March 17, 2006; the 125th special session, held in Guatemala, was from July 17 through 21, 2006, and the 126th regular session was from October 16 through 27, 2006.

- 124th regular session

At the 124th regular session, the Commission's officers were: Evelio Fernández Arévalos, Chair; Paulo Sérgio Pinheiro, First Vice Chair; and Florentin Meléndez, Second Vice Chair. The other members were Commissioners Clare K. Roberts, Freddy Gutiérrez Trejo, Víctor Abramovich and Paolo Carozza. The IACHR also selected Dr. Ignacio Álvarez, a Venezuelan national, to be Special Rapporteur for Freedom of Expression.

In connection with the individual case system, the following were among the reports that the Commission approved: 27 admissibility reports, 3 inadmissibility reports, 15 reports on the merits, 8 reports on friendly settlement, and 16 reports on case closings. The Inter-American Commission also discussed and approved a Report on the Situation of Human Rights Defenders in the Americas. It held 61 hearings on individual cases and petitions, precautionary measures and general and specific human rights situations in various States and regions. General hearings were held where the Commission received information on the situation in Bolivia, Colombia, Guatemala, Haiti, Mexico, Peru, and Venezuela. Hearings were also held on specific situations in the United States, Nicaragua, and Brazil.

Over 40 working meetings were held involving a number of countries. The meetings addressed various cases and petitions, mainly those in the friendly settlement or follow-up phase, or cases involving precautionary measures. The issues addressed in this context were with regard to Argentina, Bolivia, Chile, Colombia, Honduras, Mexico, Nicaragua, Paraguay, Peru, and Venezuela.

The issues about which the Commission received reports during this session concerned vulnerable groups, such as indigenous peoples, women, persons deprived of their freedom, migrant workers, children, and adolescents.

- 125th special session

Responding to an invitation from the Government of Guatemala, the Inter-American Commission held its 125th special session in Guatemala, July 17 through 21, 2006. During this session, the IACHR held protocol events with high-ranking State dignitaries. It also held ten hearings on important issues and situations on the human rights agenda in Central America, and spent two days conducting internal meetings. The members of the Commission also participated in a number of activities calculated to promote the inter-American human rights system.

Holding a session away from headquarters was essential, as it afforded the Commission an opportunity for direct *in situ* dialogue with government officials and major civil society actors of an OAS member state. It also enabled the Commission to further its role of promoting and teaching human rights. The Commission held two hearings on individual cases and nine general and/or thematic hearings.

During its internal meetings, held in Antigua, the Commission approved 18 draft reports on individual cases: one on publication, three Article 50 reports, seven admissibility reports, and seven reports on case closings.

- 126th regular session

The work program of the 126th regular session, which lasted two weeks, was mainly devoted to study and review of petitions and cases involving various States of the Hemisphere. The Commission approved the following reports at this session: 17 merits reports, 23 admissibility reports, 11 inadmissibility reports, 2 friendly settlement reports, and 4 reports on case closings. The Commission held 48 hearings on pending individual cases and petitions and on general human rights situations in various States of the Hemisphere. It also approved amendments to its Rules of Procedure to make provision for designation of Special Rapporteurs.

During the hearings, the Commission received general information on the situation in Cuba, Chile, Haiti, and Venezuela. Hearings were also held on specific situations or issues in member states of the Organization. The Commission received information regarding Colombia, Peru, Brazil, and Mexico, and on the situation of people living along the border between Ecuador and Colombia. The thematic issues about which the Commission received reports during this session concerned various aspects of the situation of women, persons deprived of their freedom, and the situation as regards the rights of children.

A total of 23 working meetings were held during the week devoted to hearings involving a number of countries. The questions addressed at those hearings concerned Argentina, Bolivia, Chile, Colombia, Guatemala, Mexico, Paraguay, and Peru.

Lastly, during this session, OAS Secretary General José Miguel Insulza presented the report titled “Report on the situation of human rights defenders in the Americas.”

Visits

During the first half of 2006, four visits were made to Colombia, to follow-up on the demobilization in that country, pursuant to the provisions of OAS Permanent Council resolution CP/RES. 859 (1397/04) where the IACHR is invited to advise the Mission to Support the Peace Process in Colombia (MAPP/OEA). As part of that advisory role, staff of the Executive Secretariat visited Colombia on two occasions.

At the Bolivian Government’s invitation, the Commission visited that country November 12 through 17, 2006, to observe the general human rights situation there. During the visit, the Commission met with high-ranking State officials and with numerous civil society organizations. It also visited Chonchocorro, San Pedro, and *Orientación Femenina Obrajes* prisons.

A visit was made to the Dominican Republic, August 7 through 13, headed by Commissioner Florentín Meléndez in his capacity as Special Rapporteur on the Rights of Persons Deprived of Freedom. Later, from September 20 to 22, Rapporteur Meléndez visited São Paulo, Brazil, to look into the situation of persons deprived of their freedom and on whose behalf provisional measures had been ordered by the Inter-American Court of Human Rights. Then, from December 1 through 9, Commissioner Meléndez visited Argentina, where he met with high-ranking officials and with members of civil society organizations.

Finally, Commissioner Paolo Carozza, Rapporteur for Peru, conducted a mission to Lima, December 11 through 14, 2007, holding talks with high ranking officials of the Peruvian State and a wide range of civil society organizations, organizations of Afro-descendants and indigenous organizations and communities. He also spoke with academics and former members of the Truth and Reconciliation Commission.

Other Activities

In 2006, the thematic Rapporteurships of the IACHR carried on their work to protect and promote human rights. They also advised the member states on issues related to human rights. Through its Special Rapporteurships on these topics, the IACHR continued to advise both the Working Group in charge of preparing the draft American Declaration on the Rights of Indigenous Peoples and the Working Group on the draft Inter-American Convention against Racism and All Forms of Discrimination and Intolerance. The IACHR approved two reports prepared by the Rapporteurship on the Rights of Women, concerning women’s access to justice, especially when they have been the victims of violence and discrimination: *Access to Justice for Women Victims of Violence in the Americas* and *Violence and Discrimination against Women in the Armed Conflict in Colombia*.