The OAS Charter—adopted at the Ninth International Conference of American States, held in Bogotá in 1948—is imbued with a spirit of democracy, human rights, and progress in which the human being is the ultimate purpose of the countries’ joint efforts and shared commitments. The American Declaration, adopted at the same conference, states in its opening paragraph that “the American peoples have acknowledged the dignity of the individual, and their national constitutions recognize that juridical and political institutions, which regulate life in human society, have as their principal aim the protection of the essential rights of man and the creation of circumstances that will permit him to achieve spiritual and material progress and attain happiness.” The American Declaration was the first international human rights instrument to acknowledge that States do not create or concede rights, but only recognize rights that are inherent to all human beings.

The IACHR was created during the Fifth Meeting of Consultation of Ministers of Foreign Affairs, held August 12-18, 1959, in Santiago, Chile. In the Final Act adopted at that meeting, the OAS Member States noted that “liberty, justice, and peace are based on recognition of the inherent dignity and the equal and inalienable rights of the individual.” They resolved to “create an Inter-American Commission on Human Rights, composed of seven members elected, as individuals, by the Council of the Organization of American States from panels of three names presented by the governments.” The Commission, which shall be organized by the Council of the Organization and have the specific functions that the Council assigns to it, shall be charged with furthering respect for such rights.

At that same meeting, the States observed that “the climate in this hemisphere is favorable to the conclusion of a convention.” The American Convention on Human Rights was approved in 1969 and entered into force in 1978.

The Commission oversees OAS Member States’ compliance with the rights recognized in the inter-American instruments on human rights. Through the OAS and the Summits of the Americas, the States have affirmed their support for the inter-American human rights system, recognizing that it is indispensable for strengthening democracy and the rule of law in the Americas.

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Respect for human rights goes to the very heart of democracy. Over the course of five decades, the Inter-American Commission on Human Rights (IACHR) has advocated for justice and defended freedom throughout the Americas.

Today, the predominance of freely elected governments lays the foundation for the effective exercise of human rights; however, the region still faces profound challenges. Impunity, violations of due process, limits to judicial independence, police abuses, discrimination, and social exclusion are just some of the problems that jeopardize human rights and weaken the rule of law.

The IACHR works with States to help strengthen the laws and institutions that provide human rights protections. The member countries of the Organization of American States (OAS) have affirmed their unequivocal commitment to democracy and human rights, and the Commission strives to ensure that this commitment produces tangible results.

As a result of IACHR actions, States have publicly recognized their responsibility for past abuses, a significant step in validating victims’ efforts to find justice. Commission decisions have led States to make reparations to victims and take actions to prevent violations of serious human rights violations such as massacres, extrajudicial executions, forced disappearances, torture, and illegal detentions. People who have been illegally detained have been released, and serious human rights violations have been heard by the courts after years of silence and impunity. The IACHR has also granted protection measures for thousands of individuals and entire communities at risk.

The Commission has played a vital role in shaping public policies, laws, and constitutional reforms. Its recommendations have led States to eliminate discriminatory laws and strengthen protections of basic rights. Commission reports have also contributed to OAS decisions to take collective action to protect democratic freedoms in Member States.

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The Inter-American Commission on Human Rights is made up of seven members who are elected in a personal capacity by the OAS General Assembly to four-year terms. The Commission’s autonomy and independence have been critical to its effectiveness, strength, and success.

The Commission receives complaints from individuals who claim that their rights have been violated by the State and that they have been unable to obtain justice in their own country. The Commission brings together the petitioner and the State to explore a “friendly settlement.” If such an outcome is not possible, the Commission may recommend that the State carry out specific measures to remedy the violation.

If a State does not follow the recommendations, the IACHR has the option of making its report public or taking the case to the Inter-American Court of Human Rights, as long as the State involved has accepted the Court’s jurisdiction.

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