

## CHAPTER VI INSTITUTIONAL DEVELOPMENT AND ADMINISTRATIVE AFFAIRS

### A. Structure and Personnel of the IACHR

1. The current structure of the IACHR had its onset in 2008, at which point the Executive Secretariat created the Regional Sections, and the Registry, Court, Protection, and Friendly Settlement Groups, in addition to the Rapporteurships. More recently, in accordance with the guidelines set forth in the 2011-2015 Strategic Plan, the Administrative and Financial Section evolved into the Department of Institutional Development and Administrative Affairs. This past year also evidenced a high number of personnel movements, with two senior staff separating from service, and a total of 26 post competitions that led to the appointment, transfer or promotion of staff.

2. The following chart shows the total number of staff and consultants by source of financing as of December 16, 2013:

Category	Regular Fund	Specific Funds	ICR (Indirect Cost Recovery)	Total
Executive Secretary	1	0	0	1
Deputy Executive Secretary (Lawyer)	1	0	0	1
Special Rapporteur (Lawyer)	0	1	0	1
Lawyers	15	12	0	27
Other professionals	5	1	1	7
Administrative personnel	10	7	0	17
<b>Subtotal Personnel</b>	<b>32</b>	<b>21</b>	<b>1</b>	<b>54</b>
Contracts per result (CPRs)	1	12	0	13
<b>Total</b>	<b>33</b>	<b>33</b>	<b>1</b>	<b>67</b>

3. Specifically, the IACHR is divided as follows:

- Office of the Executive Secretary and Assistant Executive Secretary, through which service is provided to the Commissioners, and all strategic management of the Commission is administered. It is comprised of the Executive Secretary, the Assistant Executive Secretary, two executive advisors (P02 and CPR), a principal administrative assistant (G06) and a G04 administrative assistant, the Press Office, the Technology and Systems Unit, and the Documents Office.

The Press Office is further comprised of a P03 Press Officer, a consultant webmaster, and a G04 administrative officer part-time. The Technology and Systems Unit includes a P01 Systems Specialist, a G06 administrative assistant, and a G05 administrative assistant. The Documents Office is made up of a G05 administrative assistant.

- The Department of Institutional Development and Administrative Affairs which is in charge of all financial and operative planning and reporting, human resource

management, and administrative logistics for the Commission, as well as oversight of the coordination of 9 administrative personnel assigned to the regional sections and Rapporteurships. It includes a P05 Director, a P03 Projects Officer, a P03 Administrative Management Section Chief, a P01 Financial Officer, two G06 administrative technicians, and part-time of a G04 administrative assistant.

- Special Groups Section
  - **Registry:** This Section is tasked with receiving, evaluating, and processing all incoming petitions, determining whether based on *prima facie* analysis, the petitions state facts that could tend to establish a violation of the rights protected by the inter-American human rights instruments, whether domestic remedies have been exhausted, and whether the requirements necessary to file the petition have been satisfied. It is comprised of the partial time of a P04, a P01, a consultant, a fellow, and two G05 administrative assistants. In addition, the Registry Section has oversight of a group of approximately 20 interns per session.
  - **Court Group:** In charge of the providing management of the cases presented before the Inter-American Court of Human Rights, and is comprised of one P03 Coordinator, two P02 human rights specialists, and one G05 administrative assistant.
  - **Protection Group:** Is responsible for the evaluation of all new requests for precautionary measures and their follow up. Additionally, the Protection Group prepares evaluations, under the emergency mechanism of Article XIV of the Inter-American Convention on Forced Disappearance of Persons, and evaluates those matters that can be raised to the Inter-American Court of Human Rights through of a request for provisional measures. The Protection Group deals with an annual correspondence flow of more than 2000 communications and receives an increasing number of approximately 400 new requests for precautionary measures per year. It is comprised of the partial time of a P04 human rights specialist, P02 human rights specialist, P01 human rights specialist, a Romulo Gallegos fellow, and a G05 administrative assistant
  - **Friendly Settlement Group:** Provides technical support to the IACHR related to the application of alternative dispute resolution mechanisms, and initially the gathering of best practices. It is comprised of a P04 human rights specialist (partial time) and two P01 human rights specialists.
- Rapporteurships and Thematic Units

The IACHR Rapporteurships are governed by strict guidelines established in its Rules of Procedure and in practices established by the plenary of the Commission, which approves those offices' reports and work plans and evaluates execution of their mandates. Because they are offices specializing in specific subject matters, the IACHR Rules of Procedure detail the procedure by which they are established and how the thematic, country, or special Rapporteurs are elected.

4. There are currently nine Rapporteurships and one thematic unit. These are:
- **Rapporteurship on the Rights of Indigenous Peoples:** created to devote attention to the indigenous peoples of the Americas, who are particularly vulnerable to human rights violations, and to strengthen, promote, and systematize the Commission's own work in this area. The area's senior coordinator resigned in the fourth quarter of 2013, and the position currently remains vacant, accompanied by a P01 human rights specialist.
  - **Rapporteurship on the Rights of Women:** created in 1994 with an initial mandate to review to which degree the legislation and practice from OAS Member States related to the guarantee of the rights of women, and complied with the general obligations of equality and non-discrimination established in the American Convention on Human Rights (hereinafter "American Convention"), and the American Declaration of the Rights and Duties of Man (hereinafter "American Declaration"). By creating the Rapporteurship, the Commission renewed its commitment to guarantee the full respect of women's rights in each of the OAS Member States. The Rapporteurship contributes to a thorough understanding of the need for additional measures to guarantee women's full exercise of their basic rights, and issues recommendations to promote that States improve their compliance with their priority obligations related to equality, and non-discrimination. Additionally, the Rapporteurship promotes the application of the mechanisms of the inter-American system of human rights to protect the rights of women; undertakes specialized studies and prepares related reports; and supports the inter-American Commission in offering a response to petitions, and other reports of human rights violations in the region. This area is comprised of a P03 human rights specialist (partial time), and will soon be incorporated by a fellow.
  - **Rapporteurship on the Rights of Migrants:** seeks to promote the respect and guarantee of the rights of migrants and their families, asylum seekers, refugees, complementary protection seekers and beneficiaries, stateless persons, victims of human trafficking, internally displaced persons and other vulnerable groups in the context of human mobility. This area is comprised of the partial time of a P05 human rights specialist, a P02 human rights specialist, and a consultant.
  - **Special Rapporteurship for Freedom of Expression:** The mandate of the Rapporteurship is to promote freedom of expression by preparing annual reports, conducting dissemination activities, issuing alerts, studying norms and practices contrary to international standards in this field, support for the preparation of reports in contentious matters, as well as on precautionary measures related to this subject. This area is headed by a P05 Special Rapporteur, and also includes a P03 human rights specialist, a P03 financial officer, a P01 human rights specialist, and an administrative assistant.
  - **Rapporteurship on the Rights of the Child:** cooperates with the analysis and evaluation of the situation of the human rights of children in the Americas. The Rapporteurship provides advice to the IACHR in the proceedings of individual

petitions, cases and requests of precautionary and provisional measures which address the rights of the child. Likewise, the Rapporteurship undertakes on site visits in the OAS Member States and prepares studies and publications related to the rights of children. The Rapporteurship shares its expert knowledge and brings international jurisprudence and studies to the Commission's discussions. The Rapporteurship is also the contact for civil society organizations that work with children's rights and with children's organizations. It is comprised of one P03 human rights specialist and a consultant.

- **Rapporteurship on the Rights of Persons Deprived of Liberty:** Its mission is to remain informed, via any reliable information source, about the situation of persons subject to any form of detention or prison in the Member States; conduct visits to OAS Member States for the purpose of compiling information and make recommendations to the States; prepare reports for the Commission on the correctional situation in a particular detention center or country, or at the regional or sub-regional level, along with any recommendations deemed necessary for the Commission; conduct promotional and educational human rights activities; coordinate promotional activity with nongovernmental organizations or other international institutions for the protection of human rights; and take any other action or step deemed necessary to protect persons deprived of liberty, within the mandate of the Inter-American Commission on Human Rights. It is comprised of the partial time of a P04 Human Rights Specialist.<sup>1</sup>
- **Rapporteurship on the Rights of Afro-Descendants and against Racial Discrimination:** Its objective is that of stimulating, systematizing, reinforcing and consolidating the action of the Inter-American Commission on the rights of people of African-descent and racial discrimination. It is supported by one P03 human rights specialist.
- **Rapporteurship on Human Rights Defenders:** Through its various tasks, the Office of the Rapporteur closely follows the situation of all persons who work to defend rights in the region, including the situation of justice operators. It is comprised of the partial time of a P04 human rights specialist, and a consultant. In 2014, it will incorporate two fellowships of six and nine months each.
- **Unit on the Rights of Lesbian, Gay, Trans, Bisexual and Intersex Persons<sup>2</sup>:** To monitor the situation of human rights of lesbian, gays, transsexual, bisexual and intersex persons in the region, and to promote respect for their rights. It is comprised of one P02 human rights specialist and one fellow.

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<sup>1</sup> Also had a P01 human rights specialist until December 2013, at which point that staffer competed for and obtained a P02 position in another section of the IACHR.

<sup>2</sup> The Commission decided to transition this to a Rapporteurship during the 149<sup>th</sup> Period of Sessions, and the creation became effective on February 1, 2014

- **Unit on Economic, Social and Cultural Rights:** Cooperate with the analysis and evaluation of the situation of these rights in the Americas, provide advice to the IACHR in the proceedings of individual petitions, cases and requests of precautionary and provisional measures which address these rights, undertake working visits to the OAS Member States and prepare studies and publications, in particular international standards. The Unit is coordinated by a P03 human rights specialist (partial time).
- **Regional Sections:** The IACHR has five regional sections which are responsible for petitions in the admissibility phase and merits cases, follow up of recommendations and of monitoring the human rights situations in the respective geographic areas, which are divided in the following manner:
  - Andina I
  - Andina II
  - Cono Sur
  - Mesoamerica (Mexico, Central America, and Spanish-speaking Caribbean)
  - EFP (USA, Canada, Brazil, and English- and French-speaking Caribbean)

In total, these sections include the full time participation of 1 P3s, 5 P2s, and 2 P1s, and the part-time collaboration of 1 P5, 2 P4s, and 2 P3.

## **B. Financial resources and budget execution**

### **1. Regular Fund**

5. During 2013, the General Secretariat of the OAS continued to confront a long episode of financial instability. Despite threats of cutbacks to the operating budget of the IACHR, the member states in its Special General Assembly on October 30, 2013, agreed to award the IACHR a modest increase of \$65,100 for the 2014 fiscal period. In addition, member states voted to partially reinstate a previously frozen G06 position. This increase demonstrates a significant show of support for the defense and promotion of human rights, considering that the overall budget of the Organization absorbed a reduction of 4.6% (\$4,304,100 reduction) over the previous year.

6. Another IACHR item that was favorably received by the CAAP was our request for an increase to the budgetary authority governing the payment of special services to the Commissioners. Previously, this was limited by a General Assembly resolution to a maximum monthly payment of \$2,000. The draft budgetary resolution that will be approved this month includes recommended text to increase this authority to a maximum of \$4,000 per month. It is important to underscore that this increased budgetary authority is not accompanied by a corresponding financial allotment, but rather the increase in payments to the Commissioners will be made possible by a reprogramming of existing operational expenses, and the transfer of some of these to Specific Funds.

7. Regarding execution of its 2013 allotment, as of October 31, 2013<sup>3</sup>, the IACHR had executed over 99% of its allotment, with an available balance in the Regular Fund of only \$17,309.44.

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<sup>3</sup> Reporting on year-end execution will be provided once the GS/OAS has concluded its financial closing procedures. We anticipate this update to be furnished by the close of the first quarter of 2014 and uploaded to the IACHR website.

## 2. Specific Funds

8. The IACHR, in response to the international economic and financial situation, has been exploring the diversification of its donor base and seeking out new sources of financing. The first step of this strategy is to ensure that the regular financing from member states is stabilized or increased, which as evidenced above, is on track. Next, we are approaching foundations and institutions whose support will not threaten the independence of the IACHR. Finally, we are participating in all public bids, with the appreciation that most are directed to civil society and not to international organizations such as the OAS.

9. As of October 31, 2013, we received a total of US\$4,307,700 from the following donors: Argentina, Canada, Chile, Colombia, Denmark, Finland, France, Mexico, Spain, Switzerland, the United Kingdom, the United States of America; Aldeas Infantiles, ASDI (Swedish Agency for International Development), European Commission, Save the Children, UNAIDS, UNHCR, UNICEF; and the University of Notre Dame.

10. The following table breaks down the Specific Fund contributions by donor:

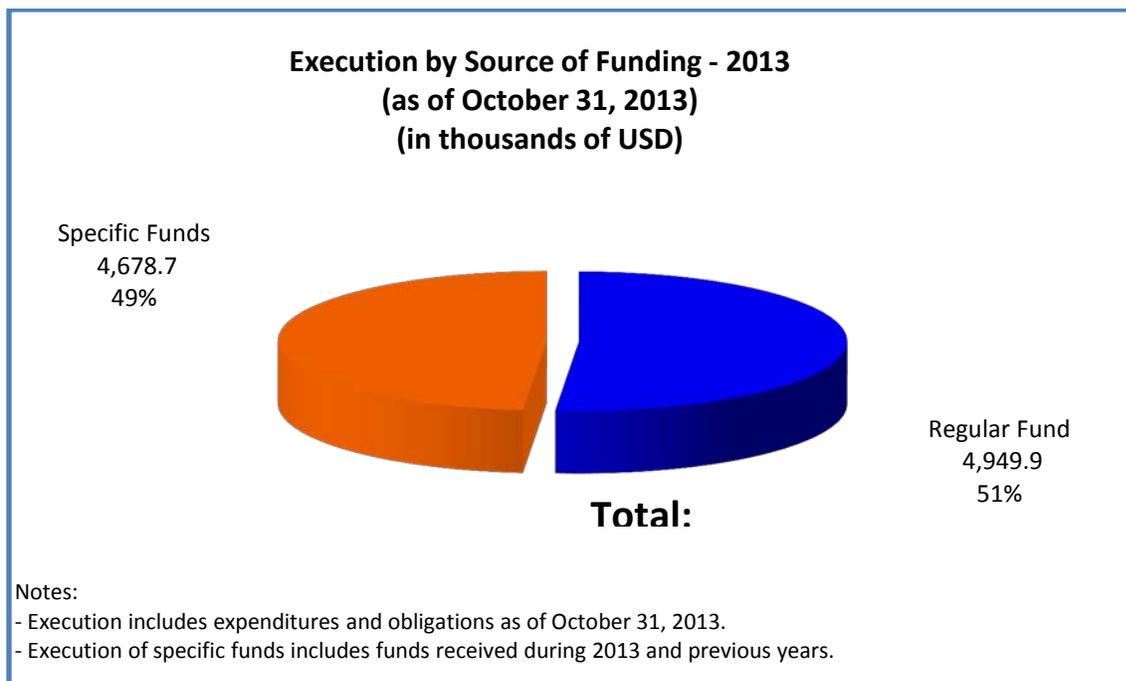
SPECIFIC FUNDS CONTRIBUTIONS TO THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS			
From January 1, 2013 to October 31, 2013 (in thousands of USD)			
Donor	USD	%	
<b>Member States</b>			
<b>Argentina</b>	400.0	9%	
<b>Canada</b>	612.4	14%	
<b>Chile</b>	80.0	2%	*
<b>Colombia</b>	20.0	0%	
<b>Mexico</b>	300.0	7%	
<b>United States</b>	1,250.0	29%	
	<b>2,662.4</b>	<b>62%</b>	
<b>Permanent Observers</b>			
<b>Denmark</b>	449.9	10%	
<b>European Union</b>	59.2	1%	
<b>Finland</b>	393.5	9%	
<b>France</b>	46.5	1%	
<b>Spain</b>	30.0	1%	
<b>Sweden</b>	382.0	9%	
<b>Switzerland</b>	48.0	1%	
<b>United Kingdom</b>	59.9	1%	
	<b>1,469.1</b>	<b>34%</b>	
<b>Non Member States and Others</b>			
<b>Aldeas</b>	5.0	0%	*
<b>Others</b>	0.2	0%	*
<b>Save the Children - Sweden</b>	42.8	1%	
<b>UNAIDS</b>	67.0	2%	
<b>UNHCR</b>	10.0	0%	*

<b>UNICEF</b>	38.5	1%	
<b>University of Notre Dame</b>	12.7	0%	*
	<b>176.2</b>	<b>4%</b>	
Total	<b>4,307.7</b>	<b>100%</b>	

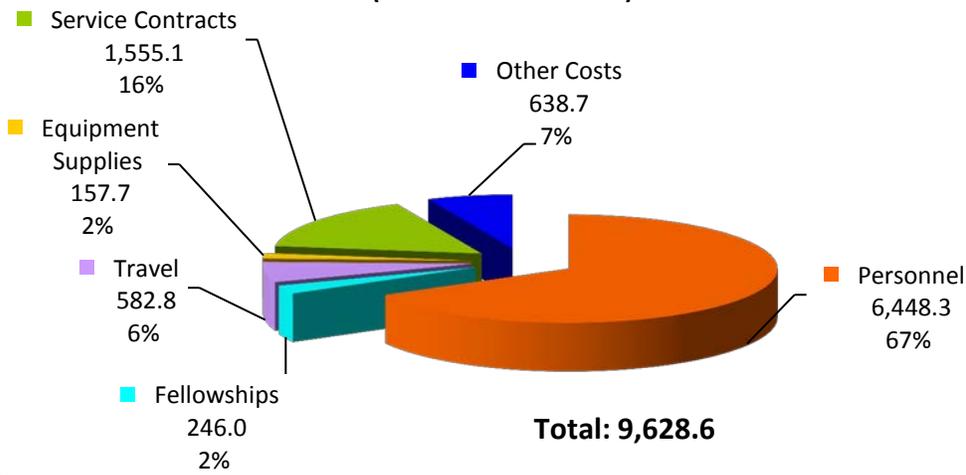
\* Although percentages show zero due to rounding, this corresponds to percentages of 0.46% for Colombia, 0.12% for Aldeas, 0.00% for others, 0.23% for UNHCR and 0.29% for University of Notre Dame.  
 \*\* Does not include USD 813 related to the reimbursement of a remaining balance to Spain.

11. Shortly following the cutoff date of this financial report, the IACHR received \$1,000,000 from the United States. In summary, the total of \$4,307,700 plus the additional US contribution represents an additional \$1,325,700 compared to last year.

12. The following two graphs indicate the distribution of execution by source of fund, and by Object of Expenditure.



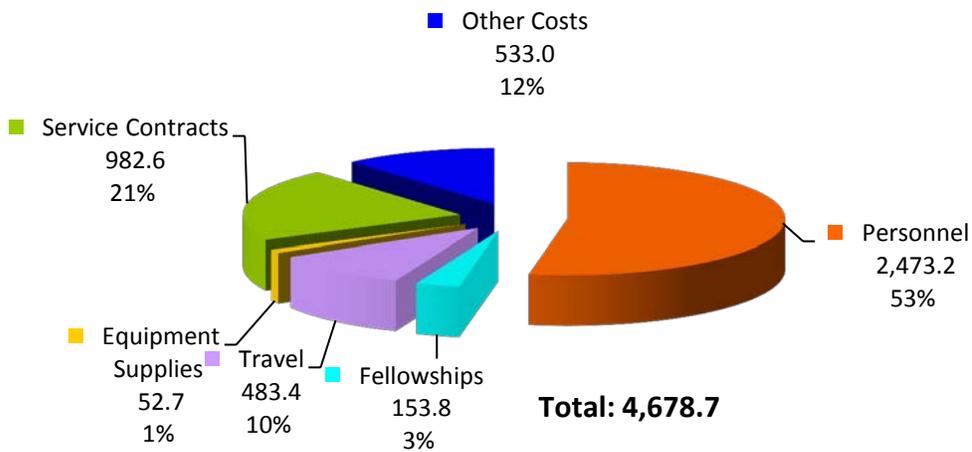
**Execution by Object of Expenditure - 2013  
(as of October 31, 2013)  
(in thousands of USD)**



Notes:

- Execution includes expenditures and obligations of regular and specific funds as of October 31, 2013.
- Execution of specific funds includes funds received during 2013 and previous years.
- Service contracts include other conference services, honorarium, special services to Commissioners, interpretation, translation, and administrative and professional support.
- Other costs include documents, building maintenance and Indirect Cost Recovery, among others.

**Execution by Object of Expenditure - Specific Funds 2013  
(as of October 31, 2013)  
(in thousands of USD)**



Notes:

- Execution includes expenditures and obligations as of October 31, 2013.
- Execution of specific funds includes funds received during 2013 and previous years.
- Service contracts include other conference services, honorarium, interpretation, translation, and administrative and professional support.
- Other costs include documents, building maintenance and Indirect Cost Recovery, among others.

13. It is important to note that due to the financial restrictions experienced by the Regular Fund of the OAS, and despite the increases to its annual Regular Fund allotment, the IACHR continues to have to rely on external funding to minimally respond to the increasing demand for its services throughout the Hemisphere. As of October 31, 2013, Specific Funds accounted overall for 46% of the Executive Secretariat's receipts, and 49% of its execution.

### **C. Administrative advances**

14. The Executive Secretariat implemented several initiatives to improve the administrative capacity of its operations. These include the conducting of regular planning meetings with the executive teams, the systems upgrades undertaken by its Technology and Systems Unit ("TSU"), and the establishment of the Department of Institutional and Administrative Affairs ("DIDAA").

#### **1. Technology and Systems Unit**

15. The TSU is responsible for managing information technology resources, projects, systems applications, and telecommunications of the IACHR. The TSU's main functions are to promote integrity and transparency of the Commission's processes and work with technology and automatized tools for improving management decision making, management internalization practices, streamlining manual procedures of the staff, and support for victims, petitioners and States with innovation technology.

16. The Commission's systems are managed and fed by the Unit teams. At present the Commission has as a comprehensive solution, a system for digital document management and a system for managing petitions and cases. This year TSU implemented a new automated system for hearing and working meeting requests for the 149th Period of Sessions, as the sole, centralized means for sending requests. This new digital system aims to facilitate and accelerate the processes, benefitting all parties involved. Currently there are proposed IT projects, including the Individual Petition System Portal, Business Intelligence Reporting Application, and Fellowship Application System. Pending funding are the Digital Document Solution and the Smart Room project which will feature multimedia facilities and videoconferencing, among others.

#### **2. Department of Institutional Development and Administrative Affairs ("DIDAA")**

17. The DIDAA was established to strengthen the internal administrative capacity of the IACHR. The appointed Director is a 15 year veteran of the Organization with breadth of experience in organizational administration, ranging from Senior Advisor to the Secretary for Administration and Finance, to Section Chief of the then newly created Department of Planning and Evaluation, responsible for establishing all the annual operative plans of the Organization, to Director of Procurement. Among the achievements of the past year are the streamlining of human resource processes, increased space allocation, and reformulation of the annual operative plan, and an increased level of external fundraising.

18. The proposed workflow changes to the human resource process will cut the time it takes the Executive Secretariat to identify and select professionals and support staff in furtherance of its objectives by several weeks each. Considering the high volume of competitions processed annually (in 2013 it was 26), this change implies a more efficient and timely execution of donor funds, and labor

efficiencies both within the Executive Secretariat and with the Secretariat of Administration and Finance staff.

19. The IACHR received authorization to significantly increase the number of individuals it invites to undertake internships, and this presented an immediate challenge of space allocation. The DIDAA successfully negotiated for the assignment of a permanent space and collaborated with SAF and the Secretariat for External Relations to procure the necessary funding to equip the space for IACHR use. Additionally, it also negotiated the provision of temporary space, so as to allow for immediate reception of the increased number of interns. The IACHR continues to consult with the GS/OAS to find ways to continue to increase the amount of space allocated as we successfully negotiate agreements with foundations and universities to sponsor fellows to the IACHR.

20. Another advance undertaken by DIDAA was the overhaul of the IACHR's annual operative plan to more adequately reflect the Strategic Plan and subsequent guidelines emanating from the Reform Process. This is a first step to realizing the need to move towards results-based management and reporting against identified indicators on a Secretariat-wide basis, not just as it pertains to individual donors.

21. Through its Projects Office, the DIDAA facilitated an increase of 33% to its external donations over last year (US\$1,325,700 more) resulting from an aggressive fundraising outreach campaign to governmental and non-governmental entities throughout Europe, and continued collaboration with existing donors. This effort continues, as we reach out to foundations and universities to provide support by sponsoring visiting professionals to the Commission.