**Consultation questionnaire for civil society organizations**

**Preparation of the thematic report “National Systems for the Implementation of International Decisions on Human Rights: Good Practices Guide”**

**Presentation**

The Inter-American Commission on Human Rights (IACHR) has initiated a thematic research on the mechanisms and systems that the States of the Americas have established, at the national level, to comply with the recommendations and decisions of the IACHR, particularly, and Inter-American System of Human Rights, as well as other international systems for the protection of human rights, in general.

This research takes as a starting point the fact that the development of international human rights law has begun to raise the need to transcend towards a perspective aimed at effectively assuring the decisions issued by international bodies and instances when analyzing human rights violations. Thus, the idea of an effective international justice has started to experience a rising prominence, in which compliance with international decisions is placed as the main subject matter of reflection, analysis and questioning.

Although compliance with international decisions is an effort accorded primarily to the States, the fact is that their assurance also counts on the intervention of other actors, whose roles are crucial to ensuring the effective implementation of these decisions. The victims, as well as civil society organizations, usually follow-up on this effort, thus becoming a fundamental part of the process of compliance with international decisions. The IACHR considers that the work of these actors is of particular relevance for understanding the possibilities of expanding the institutional channels aimed to comply with international decisions, as well as for the creation and articulation of innovative and creative efforts to promote compliance with these decisions.

Then, in the context of the aforementioned report, the IACHR is particularly interested in learning the experience of civil society organizations in activating and using the formal mechanisms and institutions that promote compliance with international decisions concerning human rights. In addition, and in greater detail, the IAHCR is interested in the experiences regarding the push for innovative practices - and not necessarily institutional ones – that, resulting from the committed work of these organizations, contribute to the strengthening of the State’s process, instances and mechanisms to comply with recommendations.

For these reasons, the IAHCR cordially invites and requests your kind collaboration, so that the organization that you represent can contribute to the preparation of the thematic report “National Systems for the Implementation of International Decisions on Human Rights: Good Practices Guide”, by sending information based on the present document. The IACHR believes that the reflections on compliance with and impacts of its decisions must be grounded on a practical and applied logic that allows the Commission to comprehend the experiences and opinions of those who are daily working to promote the effective realization of international justice.

**Instructions**

1. The questionnaire can be partially or totally answered, depending on the information available;

2. It is possible to present research papers, reports and other documents already prepared and/or published by the organization as long as they are pertinent to the subject matter;

3. The questions can be answered from the perspective or focus of the organization’s work, and can incorporate approaches from academia and intergovernmental entities, as well as anyone who is interested in sending information about the questions presented as follows;

4. In case the organization counts on relevant information about different countries, we kindly request that you report it separately, answering the following questions for each country in which the organization carries out its activities;

5. We would appreciate it if you could send the answers to the questionnaire before 30 April 2021, by email to: cidhseguimiento@oas.org and dgarcia@oas.org. **Please indicate the subject of the message as “Questionnaire about Domestic Systems for the Implementation of IACHR decisions – (Name of the organization and country to which it refers in the questionnaire)”**.Please provide in your email the contact information of your organization or institution. We kindly request you not to send duplicates.

**Questionnaire**

**Section I – Challenges and Progress**

Based on the activities carried out by the organization, please indicate the following:

1. What are the main legal, political or institutional obstacles that you identify in seeking and achieving compliance with decisions issued by the IACHR, as well as other international human right bodies?
2. What are the main legal, political and institutional strengths and advantages that exist within the State to achieve compliance with decisions and recommendations of the IACHR and the Inter-American Court of Human Rights, as well as other international human rights bodies?
3. What is the level of collaboration with the State that civil society organizations, victims and beneficiaries of reparation orders develop in the processes of compliance with decisions of the IACHR and the Inter-American Court of Human Rights, as well as other international human rights bodies?
4. Are there legal and formal institutional mechanisms within the State to promote compliance with the decisions of the IACHR and Inter-American Court of Human Rights, as well as other international human rights bodies? In case of an affirmative answer, please elaborate on:
	1. Their functioning and how is the involvement and participation of victims, beneficiaries and civil society;
	2. Publicity, transparency and access to information of victims, beneficiaries and civil society organizations;
	3. Identified advantages and limitations concerning civil society participation.
5. Are there legal and formal institutional mechanisms within the State to promote compliance with the precautionary measures issued by the IACHR? In case of an affirmative answer, please elaborate on:

* 1. Their functioning and how is the involvement and participation of victims, beneficiaries and civil society;
	2. Publicity, transparency and access to information of victims, beneficiaries and civil society organizations;
	3. Identified advantages and limitations concerning civil society participation.

**Section II – Mechanisms and concrete measures of implementation**

For each type of recommendation featured in the tables below, please indicate the following:

1. What **formal and institutional** measures and mechanisms does your organization use to promote compliance with reparation orders issued by the IACHR or the Inter-American Court of Human Rights? What results has their activation or exhaustion produced? In your answer, please indicate the main results obtained.

*Institutional measures and mechanisms shall be understood as formal actions and processes established in laws, policies, decrees and institutional frameworks that are part of the state scheme to promote compliance with reparation measures ordered by the IACHR and other supervisory bodies and mechanisms. Such measures and mechanisms can be carried out in the executive, administrative, legislative or judicial contexts, as well as within national human rights institutions.*

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| **Type of measure****Institutional mechanisms** |
| **Compensation**Examples: granting of financial resources, provision of non-pecuniary material elements, updating of compensation. | **Restitution**Examples: restoration of freedom, return to the place of origin, return of property, reinstatement of employment, issuance of identity documents. |
| **Measures and mechanisms deployed**  | **Measures and mechanisms deployed**  |
| **Main Results** | **Main Results** |
| **Satisfaction**Examples: acts of acknowledgement of responsibility and public apologies, construction of buildings and tributes. | **Investigation** Examples: opening and continuation of investigations, non-application of amnesty laws and statute of limitation measures, localization and restitution of remains. |
| **Measures and mechanisms deployed**  | **Measures and mechanisms deployed**  |
| **Main Results** | **Main Results** |
| **Guarantees of non-repetition**Examples: adoption of public policies, issuance of laws and decrees, awareness and training campaigns, strengthening of the state apparatus. |
| **Measures and mechanisms deployed**  | **Main Results** |

\*For further reference about the types of reparation measures, please see the [General Guidelines on the Follow-up of Recommendations and Decisions of the Inter-American Commission on Human Rights](https://www.oas.org/en/iachr/activities/follow-up/Directrices-en.pdf).

1. What **non-institutional** measures and mechanisms has the organization promoted to push for compliance with the reparation orders issued by the IACHR and Inter-American Court of Human Rights? What results has their activation or exhaustion produced? In your answer, please indicate the main results obtained.

*Non-Institutional measures and mechanisms shall be understood as informal actions and processes that, at the initiative of the State or organization, are established as an integral part of the process of implementation of international decisions, as to ensure compliance with reparation measures ordered by the IACHR and other supervisory bodies and mechanisms. For example, this category includes aspects like the establishment of special investigation commissions, ad hoc tribunals, the signing of compliance agreements and memorandum of understanding, working groups, special hearings, relationship with other international mechanisms, social demonstrations, etc.*

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| **Type of measure****Non-Institutional Mechanisms** |
| **Compensation**Examples: granting of financial resources, provision of non-pecuniary material elements, updating of compensation | **Restitution**Examples: restoration of freedom, return to the place of origin, return of property, reinstatement of employment, issuance of identity documents. |
| **Measures and mechanisms deployed** | **Measures and mechanisms deployed** |
| **Main Results** | **Main Results** |
| **Satisfaction**Examples: acts of acknowledgement of responsibility and public apologies, construction of buildings and tributes. | **Investigation** Examples: opening and continuation of investigations, non-application of amnesty laws and statute of limitation measures, localization and restitution of remains. |
| **Measures and mechanisms deployed** | **Measures and mechanisms deployed** |
| **Main Results** | **Main Results** |
| **Guarantees of non-repetition**Examples: adoption of public policies, issuance of laws and decrees, awareness and training campaigns, strengthening of the state apparatus. |
| **Measures and mechanisms deployed** | **Main Results** |

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