

Opening Remarks by the Chair of the IACHR, Commissioner José de Jesús Orozco Henríquez

Special Forum on Race, Discrimination and Economic, Social and Cultural Rights in North America

Montreal, November 22, 2013

Professor Jutras, Dean of the Faculty of Law, McGill University

Professor Adelle Blackett,

Fellow Commissioners Rose-Marie Antoine and Dinah Shelton

Special guests

Panelists & participants,

Ladies and gentlemen

Thank you all for coming to this historic event– which has arisen out of the very first collaboration between IACHR and McGill University. For the IACHR, this is an important step in deepening engagement with North America on matters of race, discrimination and economic social and cultural rights. We are particularly grateful to McGill University's Faculty of Law and its Labour Law and Development Research Laboratory for their commitment to working with us to stage this forum.

I would like to specially recognize Commissioner Rose-Marie Antoine and Professor Adelle Blackett who conceptualized this forum. Commissioner Antoine is the IACHR's Rapporteur on the Rights of People of African Descent and against Racial Discrimination, and is also the Commissioner in charge of the IACHR's Unit on Economic Social and Cultural Rights. Professor Blackett is, of course, Director of the Labour Law and Development Research Laboratory – one of the principal sponsors of this event.

Overview of IACHR's mandate and work

This forum is very much in keeping with the mandate and work of the IACHR. Since some of us here might be unfamiliar with IACHR's mandate, permit me to offer a short overview.

The IACHR, which was established in 1959, is a principal and autonomous organ of the Organization of American States (“OAS”) whose mission is to promote and protect human rights in the American hemisphere. It is composed of seven independent members who serve in a personal capacity. Together with the Inter-American Court of Human Rights (installed in 1979), the Commission is one of the institutions within the inter-American system for the protection of human rights (“IAHRS”). So to emphasize – principal function of the IACHR is to promote the observance and protection of human rights in the Americas.

The work of the IACHR rests on three main pillars:

the individual petition system;
monitoring of the human rights situation in the Member States, and
the attention devoted to priority thematic areas.

Operating within this framework, the Commission considers that inasmuch as the rights of all persons subject to the jurisdiction of the Member States are to be protected, special attention must be devoted to those populations, communities and groups that have historically been the targets of discrimination.

It is in this regard that starting in 1990, the Inter-American Commission began creating thematic rapporteurships in order to devote attention to certain groups, communities, and peoples that are particularly at risk of human rights violations due to their state of vulnerability and the discrimination they have faced historically. The aim of creating a thematic rapporteurship or thematic unit is to strengthen, promote, and systematize the Inter-American Commission's own work on the issue.

Having regard to the foregoing, this forum falls within the promotional side of the Commission’s mandate, with special input by the Rapporteurship on the Rights of People of African Descent and against Racial Discrimination and the Unit on Economic, Social and Cultural Rights.

Currently, the IACHR has ten thematic areas, most of which are headed by rapporteurships. Apart from the Rapporteurship on the Rights of People of African Descent and Against Racial Discrimination and the Unit on Economic, Social and Cultural Rights the other thematic areas are:

Rapporteurship on the Rights of Indigenous Peoples
Rapporteurship on the Rights of Women
Rapporteurship on the Rights of Migrant Workers and Their Families
Special Rapporteurship for Freedom of Expression
Rapporteurship on the Rights of the Child
Rapporteurship on Human Rights Defenders

Rapporteurship on the Rights of Persons Deprived of Liberty
Unit on the Rights of Lesbian, Gay, Trans, Bisexual and Intersex Persons

By way of background, the Rapporteurship on the Rights of People of African Descent and Against Racial Discrimination was established in February 2005, while the Unit on Economic, Social and Cultural Rights was established in November 2012.

The Rapporteurship was established with a mandate to:

... dedicate itself to activities of stimulating, systematizing, reinforcing and consolidating the action of the Inter-American Commission on the rights of people of African descent and racial discrimination.

The Unit was established to strengthen the Commission's work in protecting and promoting economic, social, and cultural rights. The decision to establish the Unit was significantly influenced by suggestions made by States and civil society.

The Rapporteurship has carried out a number of important activities since its establishment, one of which is the issuance of a thematic report -*The Situation Of People Of African Descent In The Americas*- December 2011 (launched in St. Lucia in July 2012).

The Rapporteurship was also involved in providing technical assistance to the OAS Working Group that successfully negotiated the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance. Both Conventions were adopted in June 2013 by the OAS General Assembly.

The Commission considers the adoption of these Conventions as a historic and significant step toward the elimination of racism and all forms of discrimination in the hemisphere, as we work together to bring about justice and equality for all peoples, regardless of race or ethnicity.

While the Rapporteurship and the Unit have been at the forefront of the Commission's involvement in this forum, I must, of course, mention that my colleague Commissioner Dinah Shelton is the Rapporteur on the Rights of Indigenous Peoples. Indeed, in that capacity, Commissioner Shelton conducted a working visit to Canada in August of this year to look into the disappearances and murders of indigenous women in British Columbia. Commissioner Shelton demits office at the end of this year, and so I would like to take this opportunity to publicly applaud her outstanding contribution not just to her rapporteurship, but to the Commission as whole.

The topics on the agenda of this forum are undoubtedly complex and challenging. However, given the caliber of panelists, speakers, and participants present, I confidently look forward to illuminating discussions that will deepen our understanding of race, discrimination and economic social and cultural rights in the context of North America.

In closing, I'd like to again thank our host – McGill University Faculty of Law, and all of you who made the time to participate in this important forum. Of course, I expect that this forum will be the first of many collaborative events between the Commission and McGill University as we seek to advance the agenda of human rights protection for all in this hemisphere.

I thank you.