

CHAPTER I ACTIVITIES OF THE COMMISSION IN 2014

A. Inter-American Commission's periods of sessions held in 2014

1. In the period covered by this report, the Inter-American Commission met on four occasions: March 20 to April 4, at its 150th regular session; July 14 to 25, at its 151st regular session; August 11 to 15 at its 152nd extraordinary session; and October 23 to November 7, at its 153rd regular session.¹ In the course of 2014, the Inter-American Commission adopted a total of 107 reports on individual cases and petitions: 47 admissibility reports, 4 inadmissibility reports, 6 friendly settlements, 29 archiving decisions, 18 reports on merits, and decided to publish 3 reports on merits. It also held 105 hearings and 61 working meetings.

1. 150th regular session

2. The Inter-American Commission held its 150th regular session March 20 to April 4, 2014, on which occasion it elected its presiding officers. The board was comprised as follows: Tracy Robinson, Chair; Rose-Marie Belle Antoine, First Vice-Chair; Felipe González, Second Vice-Chair. The IACHR is also comprised of the following Commissioners: José de Jesús Orozco Henríquez, Rosa María Ortiz, Paulo Vannuchi and James L. Cavallaro. The Executive Secretary is Emilio Álvarez Icaza-L. and the Assistant Executive Secretary is Elizabeth Abi-Mershed.

3. In the course of its sessions, the IACHR held 55 hearings and 30 working meetings. It also adopted 33 reports on individual cases and petitions: 13 on admissibility, 11 archiving reports, 3 reports on merits and decided to publish 2 reports on merits. During the session, the IACHR presented two thematic reports, one on guarantees for the independence of justice operators and the other on the use of pretrial detention in the Americas.

4. During the 150th session, the Commission held productive meetings with high-level authorities from States, the Inter-American Court of Human Rights, Missions to the OAS, and civil society organizations, among others involved in the inter-American human rights system. The Commission held a meeting with the States and another with the Caribbean Community (CARICOM), and marked the end of the session with a closing ceremony that included the participation of the Permanent Representatives of the Member States and civil organizations.

5. During the session, the Inter-American Commission examined the applications received for the position of Special Rapporteur for Freedom of Expression, in the context of a competition posted on December 19, 2013. The IACHR selected six finalists: Ileana Alamilla Bustamante, Juan Pablo Albán Alencastro, Francisco Cox, Edison Lanza, Damian Loreti, and David Lovatón. Their résumés were posted, in English and Spanish, on the IACHR website.

6. In light of the priority that the IACHR places on the friendly settlement procedure, during the 150th period of sessions an effort was made to increase the number of working meetings held with the aim of bringing parties closer together. Those meetings made major progress in negotiating new friendly settlement agreements, as well as in following up on those already at the implementation stage.

¹ See the following press releases issued by the IACHR regarding its sessions: 35 and 35A/14, 80/14, 86/14, 131 y 131A/14.

7. The IACHR held its second-ever hearing requested by a group of States to deal with the topic of the death penalty in the Americas. Argentina, Brazil, Chile, Costa Rica, the Dominican Republic, Honduras, Mexico, Panama, Paraguay, Uruguay, and the Permanent Observer Mission of France to the OAS tackled the issue of the death penalty from a perspective of promoting and protecting human rights. That hearing, according to the participating States, was not only a way to keep the topic on the region's agenda, but also a tool for identifying methods for progressing toward the abolition of the death penalty throughout the Americas. In addition, a representative of Amnesty International spoke of certain steps forward taken in the region during 2013. She stated that for the first time ever, death rows in Grenada, Guatemala, and Saint Lucia were empty, and that the "Greater Caribbean for Life" network had been established to work for the abolition of the death penalty in the nations of the Caribbean. She also noted that Barbados and Trinidad and Tobago still have obligatory death penalty sentences on their statute books, and that the United States remains the only country in the Americas to carry out executions of people sentenced to death. According to the information provided, in 2013 the United States executed 39 people, a figure down 10% from the 2012 total. Nevertheless, it remains one of the world's top five countries for executions.

8. At the hearing, the Commission noted its deep concern at the failure of the United States to comply with the precautionary measures extended by the IACHR in death penalty cases. For decades, the Inter-American Commission has addressed the question of the death penalty as a crucial human rights challenge. In its report *The Death Penalty in the Inter-American Human Rights System: From Restrictions to Abolition*, published in 2012, the IACHR recommended that States impose a moratorium on executions as a step toward the gradual eradication of that form of punishment.

9. The IACHR highlights the significant progress made at several working meetings. In particular, the Commission appreciates the participation of representatives of the States and of petitioners from Argentina, Colombia, Honduras, Jamaica, Paraguay, Peru, and the United States at working meetings on the implementation of current precautionary measures, which enables agreements to be reached and obstacles to be overcome in order to guarantee better protection in serious and urgent situations in which people face a risk of irreparable harm.

10. Similarly, the Commission warmly applauds the willingness to make progress toward friendly settlements or in compliance with existing agreements that was shown by the parties at 17 working meetings held in connection with petitions and cases from Argentina, Bolivia, Ecuador, Guatemala, Mexico, Paraguay, Peru, and Suriname. Specifically, the IACHR notes the signing of an accord for working toward a friendly settlement in connection with Petition No. 1171/09, Ananías Laparra Martínez and others, Mexico.

11. A significant number of civil society organizations from Argentina, Brazil, Canada, Chile, Colombia, Guatemala, Honduras, Mexico, Peru, the United States, and Uruguay requested a hearing to address an emerging topic that the Inter-American Commission will monitor: the negative impact of repressive drug policies on the enjoyment of the human rights of large sectors of the population, which has disproportionate repercussions on children and adolescents, women, the poor, people of African descent, rural populations, and other groups.

12. The hearings held and the reports on cases adopted during the 150th regular session address some of the structural human rights problems that still persist in the region. They deal with respect for right to life and to humane treatment; the guarantees of due process and judicial protection; judicial independence, justice, and redress for past serious human rights violations; the exercise of economic, social, and cultural rights and of the right of free expression; discrimination on racial or ethnic grounds, by reason of sexual orientation, gender, or gender identity; and with other issues including the situation of the rights of children, of migrants, of refugees, of asylum seekers, of human trafficking victims, of internally displaced persons, of stateless people, of human rights defenders, of indigenous peoples, of Afro-descendants, of women, of people deprived of their freedom, and of persons with disabilities. Also addressed was the topic of corporate responsibility in the impact that extractive industries have on the enjoyment of human rights, in particular among certain groups such as Afro-descendants and indigenous peoples. At a hearing held to follow up on the recommendations of the report *Juvenile Justice and Human Rights in the Americas*, the IACHR received worrying information about a regressive trend in this area in several of the region's countries,

including the lowering of the age of criminal responsibility and stiffer sentencing, in a context of poor prison conditions and scant provision of socio-educational measures.

13. During its sessions, the Inter-American Commission received extensive information from various state and nonstate agents on the multidimensional nature of the challenges facing the correct implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women – the Convention of Belém do Pará – 20 years after its adoption. Violence against women and structural gender discrimination remain serious, widespread problems in the region, while state responses are still inadequate, both in terms of prevention and in terms of investigation and punishment. An unacceptable percentage of killings of women and other violent attacks against them still go unpunished, while women who work to defend human rights – and, in particular, defenders of the rights of women – are victims of attacks, see the criminalization of their activities, suffer public smear campaigns, and endure the police’s excessive use of force against them, among other grave problems. The IACHR urges the States to make significant, urgent progress with the implementation of public policies that uphold the standards enshrined in the Convention of Belém de Pará – in particular, through measures that work to dismantle the structural discrimination that underlies violence against women.

2. 151st regular session

14. The Inter-American Commission held its 151st regular session from July 14 to 25, 2014. During this period of sessions the Commission interviewed the six finalists in the process for the post of Special Rapporteur on Freedom of Expression, and selected Edison Lanza for a three-year period, renewable once. The new Rapporteur took office on October 6, 2014.

15. Owing to the internal nature of this session, the IACHR held no public hearings or working meetings in the course of it. The Commission adopted 32 reports on individual cases and petitions: 19 on admissibility, 3 on inadmissibility, 3 on friendly settlement, 1 archiving decision, 5 reports on the merits and decided to publish 1 report on the merits.

3. 152nd special session

16. The Inter- American Commission held its 152nd special session in Mexico City on August 11-15, 2014, at the invitation of the State of Mexico. In the course of this session, the Commission adopted 17 reports on individual cases and petitions: 7 on admissibility, 9 archiving reports, and 1 on the merits.

17. During these sessions, the IACHR held various meetings with high-level Mexican authorities and civil society organizations. It also held seven public hearings on the general human rights situation in Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. More than 60 civil society organizations from those countries and representatives of each of those States participated in the hearings, which were well-attended by the public at the Palacio de Minería of the National Autonomous University of Mexico (UNAM) and were followed via webcast by thousands of people throughout the region.

18. During its 152nd special session, the Commission held an academic seminar at the Palacio de Minería on the contributions and challenges of the Inter-American Commission on Human Rights. In addition to the Commissioners, those participating on the panels included UNAM President José Narro Robles; UNAM General Counsel Luis Raúl González Pérez; Juan Manuel Gómez Robledo, Deputy Secretary for Multilateral Affairs and Human Rights of the Secretariat of Foreign Affairs; Mariclaire Acosta, Director of Freedom House; María Leoba Castañeda Rivas, Director of the UNAM Law School; Sergio García Ramírez, a former judge and former Chairman of the Inter-American Court of Human Rights; Pilar Noriega García, of the State of Guerrero Truth Commission; Alejandra Nuño, of the Centro de Derechos Humanos de las Mujeres; and Fernando Ríos, of the Red “Todos los Derechos para Todas y Todos.”

4. 153st regular session

19. The Inter-American Commission on Human Rights held its 153rd regular session from October 23 to November 7, 2014. During the session, the IACHR worked on analyzing petitions, cases, and precautionary measures; studied various plans to address its procedural backlog; held 53 public hearings and 31 working meetings on cases and precautionary measures; and held meetings with representatives of States, petitioners, and civil society organizations from around the region, among other activities. In the course of this session, the Commission adopted 24 reports on individual cases and petitions: 8 on admissibility, 1 inadmissibility report, 3 on friendly settlement, 9 archiving reports, and 3 on the merits.

20. As part of its efforts to continue strengthening ties with the universal human rights system, during the session the IACHR received visits from the United Nations Special Rapporteur on the situation of human rights defenders, Michel Forst; the UN Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo; the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai; and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere. The Commission also met with a delegation from the Office of the United Nations High Commissioner for Refugees (UNHCR), headed by the agency's regional representative, Shelly Pitterman.

21. The Commission also continued to develop its work plan to establish a Special Rapporteurship on Economic, Social, and Cultural Rights (ESCR) toward the end of 2015, to delve deeper into this subject. The main obstacle to this objective is the lack of sufficient funding. In this regard, the Commission has reiterated its call to the OAS Member States to make specific contributions to the special fund created in April 2014, resources that will be used exclusively by the Special Rapporteurship on ESCR.

22. During the session, the Commission was concerned to receive information about the structural exclusion in which millions in the region live, which leads to serious violations of their human rights. Forced labor continues to exist in several countries, and there are reportedly 5.7 million children in the region who work. Racial discrimination continues to be a widespread and, in some cases, structural problem, and during this session the Commission received information about how racism affects criminal justice systems. Meanwhile, millions of people face significant obstacles to education and health, among other economic, social and cultural rights, with a disproportionate impact on particularly vulnerable segments of the population such as children and adolescents, persons of African descent, indigenous peoples, rural populations, migrants with irregular legal status, and stateless or internally displaced persons. Women are another group especially affected by these problems, in addition to a lack of access to sexual and reproductive health services. For their part, trans persons also face serious obstacles in accessing employment and basic health and education services.

23. The Commission also received troubling information on the tension that often exists between the implementation of development projects and the full exercise of human rights for large segments of the population in the Americas. There have been cases of violations of the right to life, forced displacement, instances in which water and food sources have been cut off, and violence against leaders opposed to development projects, among other problems. In hearings concerning several countries, the Commission received information on the negative impact that many development projects have on indigenous peoples' rights over their lands and territories, as well as on the rights of communities of African descent and rural and peasant populations. The Commission was also informed about the implementation of projects in areas in which indigenous peoples live in voluntary isolation and initial contact, as well as about other projects implemented in areas inhabited by indigenous peoples in contact but where their rights to prior, free, and informed consultation have not been respected.

24. The Commission continued to receive alarming information concerning a trend it had noted before, in its Second Report on the Situation of Human Rights Defenders in the Americas, indicating that they are systematically subject to baseless criminal actions for the purpose of hampering their work and undermining the legitimacy of their causes. This problem is particularly acute when it comes to human rights defenders who participate in social protest demonstrations; those who defend the rights of LGBTI persons;

defenders of sexual and reproductive rights; and peasant and indigenous leaders who express opposition to the implementation of mega-projects.

25. In a hearing on the human rights situation of migrant and refugee children and families in the United States, the IACHR received troubling information about the widespread practice of detaining children along with their mothers; the lack of qualified, properly trained staff to attend to these families; violations of the right of migrant children and families to request and receive asylum; and expedited deportation proceedings, many of which are held without individuals having legal representation. This information is in line with what the Commission observed during its visit to the U.S. southern border in September and October of this year.

B. Official Visits

Honduras²

26. The Inter-American Commission on Human Rights held an onsite visit to Honduras, which took place December 1-5, 2014, for the purpose of monitoring the general human rights situation in the country. The delegation was led by the Chair of the IACHR, Tracy Robinson; the First Vice-Chair, Rose-Marie Belle Antoine; and Commissioners José de Jesús Orozco Henríquez, Rosa María Ortiz, Paulo Vannuchi, and James Cavallaro. Other members of the delegation included the IACHR Executive Secretary, Emilio Álvarez Icaza; the Assistant Executive Secretary, Elizabeth Abi-Mershed; and the Special Rapporteur for Freedom of Expression, Edison Lanza, as well as specialists from the Executive Secretariat.

27. The Commission held meetings with State authorities, civil society organizations, and others who came forward to present information concerning the human rights situation in Honduras. The Commission traveled, without restrictions, to several different regions - including La Ceiba, Tocoa, El Progreso, San Pedro Sula, and Bajo Aguán - and visited care centers for migrant children; Garifuna communities and peasant communities; and several prisons in the country.

28. During its visit, the Commission verified that Honduras has alarming rates of violence, among the highest in the world. In addition to one of the highest homicide rates per capita worldwide, in Honduras there are disappearances, high levels of gender-based violence, and agrarian conflicts that also produce acts of violence, among other serious crimes. These incidents are taking place in a context of extensive impunity, a result of institutional weakness, corruption, and the lack of independence of the judiciary, among other factors. The Commission heard alarming testimony regarding the killings and harassment of human rights defenders, justice sector operators, and journalists, among others.

29. In the meetings held during the Commission's visit, the State of Honduras reaffirmed its commitment to create strategies to recover the credibility of institutions in the eyes of society. In this regard, the IACHR welcomed the designation of the National Human Rights Commission, and trusts that the State will provide it with the resources and conditions that enable it to work independently and effectively. The IACHR also welcomed the efforts of the Access to Public Information Institute, and the signing of an agreement with Transparency International to combat corruption and strengthen national institutions toward that end. In addition, the IACHR applauded the government's decision to invite the United Nations Office of the High Commissioner for Human Rights to have a greater presence in the country.

30. The Commission also noted that one of the central pillars of the State's response to the serious structural problems of violence, impunity, corruption, and organized crime in the country is the intervention of the Armed Forces in many different spheres and functions. The Army actively participates in citizen security responsibilities through specialized forces such as "military police," despite international standards indicating that citizen security should be the exclusive jurisdiction of a civilian police force, one that is respectful of human rights.

² IACHR, Press release No. 146/14.

31. The IACHR stated its concern about the excessively punitive focus of the criminal justice system, and identifies as a priority the need for it to change. The Commission also believes it is essential to strengthen the juvenile justice system, in line with international human rights standards.

32. The Inter-American Commission also observed during its visit that Honduras continues to have high levels of poverty and social inequality, with serious consequences of social and economic exclusion and structural discrimination. In Bajo Aguán, the IACHR observed that the majority of people not only live in poverty and exclusion, but feel absolutely hopeless, due to the lack of opportunities and lack of access to justice to resolve conflicts related to land disputes.

33. The IACHR's preliminary observations on the situation observed in the course of this onsite visit can be found in the annex to press release No. 146/14, which was issued at the end of the visit. Likewise, with the information received during the visit and other inputs, the IACHR shall draft a Country Report whereby it shall make recommendations aimed at supporting the State in its efforts to fulfill its obligations under the American Convention on Human Rights.

United States of America³

34. The Inter-American Commission on Human Rights conducted a visit to New York, from April 7 to 10, 2014. The delegation was led by the IACHR Rapporteur on the Rights of the Child, Commissioner Rosa María Ortiz, accompanied by staff attorneys of the Executive Secretary of the IACHR from the Office of the Rapporteurs on the Rights of the Child and Adolescents and on the Rights of Persons Deprived of Liberty. The visit aimed to gather information on the situation of persons under the age of 18 charged, tried, sentenced, and incarcerated as and with adults, and the detention conditions of youth in jails and prisons.

35. The second visit was conducted to the southern border of the United States of America, from September 29 to October 2, 2014. The delegation was headed by Commissioner Felipe González Morales, Rapporteur on the Rights of Migrants and the Country Rapporteur for the United States, and Commissioner Rosa María Ortiz, Rapporteur on the Rights of the Child. The purpose of this visit was to monitor the human rights situation of unaccompanied children and families who have crossed the southern border of the United States, with respect of their apprehension, immigration detention over long periods of time, immigration procedures as well as deportations and removals.

36. From October 20 to 22, the Rapporteurship conducted a visit to Colorado, United States. The purpose of the trip was to obtain information about children under 18 years of age, who are subjected to the norms of the adult criminal justice system, as well as the conditions of youths housed in detention and prison facilities.

Paraguay⁴

37. The Rapporteurship on the Rights of Persons Deprived of Liberty of the Inter-American Commission on Human Rights carried out a working visit to Paraguay from August 25 to 29, 2014. The delegation was headed up by Commissioner James Cavallaro, in his capacity as Rapporteur for the Rights of Persons Deprived of Liberty. The purpose of the visit was to verify the general situation of the Paraguayan prison system, to identify the shortcomings it faces, and to make recommendations to the State.

38. The IACHR delegation met with the Vice Minister of Foreign Affairs, the Minister of Justice, Minister of Public Defense, among other state officials and relatives of persons deprived of liberty. In addition, the delegation visited detention centers.

³ IACHR, Press releases No. 44/14 and 110/14.

⁴ IACHR, Press release No. 97/14.

Uruguay⁵

39. The Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights, Rosa María Ortiz, conducted a visit to Uruguay from September 1 to September 5, 2014. The purpose of the visit was to express the Office of the Rapporteur's position in relation to the referendum to be conducted in the month of October of 2014, which proposes a constitutional amendment to lower the age of criminal responsibility from 18 to 16 years old.

40. During her visit, the Rapporteur was received by the President of the Republic, José Mujica Cordano, among other authorities, families of juvenile offenders deprived of liberty and civil society organizations.

Colombia

41. On August 28, 2014, the Inter-American Commission on Human Rights published the report "Truth, Justice, and Reparation: Fourth Report on the Human Rights Situation in Colombia." That same day, Commissioner José de Jesús Orozco presented the report in Bogotá, Colombia.

42. The Chair of the Inter-American Commission on Human Rights, Tracy Robinson, visited Colombia, from September 29 to October 3, 2014. In her capacity as Rapporteur for the Rights of Women and Rapporteur for the Rights of Lesbian, Gay, Bisexual, Trans and Intersex people (LGBTI), Commissioner Tracy Robinson visited the cities of Cali, Bogotá and Cartagena. The first objective of the visit was to collect information about the challenges that women face in accessing information on violence and discrimination that will be included in a regional report being prepared by the Rapporteur on the Rights of Women. The second objective consisted on meeting with LGBTI human rights defenders and organizations, in order to seek information on the situation of human rights of these persons in Colombia. This information will be included in the regional report being prepared by the LGBTI Rapporteurship on the situation of violence against LGBTI persons⁶.

Mexico

43. The Rapporteur, Felipe González Morales, was in Mexico City on August 18 and in Saltillo, Coahuila on August 19, 2014, presenting the report "Human Rights of Migrants and Other Persons in the Context of Human Mobility in Mexico."

44. From September 17 to 19, 2014, the Rapporteurship on the Rights of Persons Deprived of Liberty made a monitoring visit to Mexico that constitutes the first part of a two-part visit, the second part of which will take place in early 2015. In the course of this first visit the Rapporteur met with several authorities as well as with a group of experts on persons deprived of liberty and with civil society organizations devoted to monitoring the situation of the prison system in Mexico.

45. The Rapporteur on the Rights of Children and Adolescents of the IACHR, Commissioner Rosa María Ortiz, conducted a visit to Mexico between October 6 and 14, 2014. The main objective of the visit was to monitor the human rights of children and adolescents in Mexico, at the federal level and in four states and the Federal District, with particular emphasis on monitoring the systems for the promotion of the rights of girls and boys, as well as the impact of violence and migration on the exercise of their rights. The Rapporteur placed special emphasis on the systems for alternative care and the impact on the rights of homeless children. The Rapporteur also participated in a working meeting on the implementation of the precautionary measures requested by the IACHR of the State in favor of 43 disappeared youths in the city of Iguala⁷.

⁵ IACHR, Press release No.98/14.

⁶ IACHR, Press release No.118/14

⁷ IACHR, Press release No.125/14

Chile⁸

46. The Rapporteur on the Rights on Indigenous Peoples and Rapporteur for Chile, Commissioner Rose-Marie Belle Antoine, undertook a visit to Chile between November 24 and 26, 2014. The main objective of the visit was to collect information on the general situation of human rights in the country, as well as closely examine the human rights situation of indigenous peoples in this country, in particular in the context of development and investment projects, and concessions for the extraction of natural resources.

47. During the visit, the Rapporteur was received by the President of the Republic, Michelle Bachelet, among other authorities. The visit also included meetings with civil society organizations, and working meetings related to individual cases to follow up on the compliance of the State in relation to recommendations of the IACHR.

C. Activities of the IACHR with respect to the Inter-American Court of Human Rights

48. In 2014 the Commission continued to carry out its treaty-based and statutory mandates before the Inter-American Court. The following is a detailed description of the Commission's activities before the Court in the following order: (i) referral of contentious cases; (ii) requests for provisional measures; (iii) appearance and participation in public and private hearings; (iv) presentation of written observations on State reports in cases of supervision of compliance with judgments; and (v) presentation of written observations on State reports on the implementation of provisional measures.

1. Referral of contentious cases

49. In 2014, the Commission referred 19 cases to the jurisdiction of the Inter-American Court, pursuant to Article 51 of the American Convention and Article 45 of its Rules of Procedure.

a. Case of Galindo Cárdenas v. Peru (referred on January 19, 2014)

50. The case involves the illegal and arbitrary detention of then Provisional Judge of the Superior Court of Justice of Huanuco, Luis Antonio Galindo Cardenas, on October 16, 1994, after he voluntarily appeared on the Yanac Military Base, at the request of the Chief of the Military Political Command, who was performing the duties of government in the area under an emergency law in effect at the time. Mr. Galindo Cardenas remained in custody on that military base for 31 days without the Superior Court of Justice of Huanuco being advised and without his detention being subject to any other judicial oversight. Mr. Galindo Cardenas was first placed in solitary confinement and was then subjected to serious communication restrictions.

51. The Commission also found that Mr. Galindo Cárdenas was not informed of the reasons for his detention or of the charges leveled against him, nor did he have any possibility of adequately mounting his defense. The very circumstances of his detention prevented Mr. Galindo Cárdenas from requesting an effective judicial review of his deprivation of liberty. All these circumstances, which were intended to wear down Mr. Galindo Cárdenas' resistance to induce him to invoke the Repentance Law, led the Commission to find that the violation of the aforementioned procedural and substantive guarantees and the overall conditions of detention constituted, in its opinion, cruel, inhuman and degrading treatment of the victim.

52. The Commission further concluded that the Peruvian State was responsible for violation of the principles of legality and the non-retroactivity of the law, by having criminalized the practice of advocacy, specifically the right to a proper defense, through its arbitrary application of Article 4 of Decree Law 25475 concerning acts constituting collaboration with terrorists.

⁸ IACHR, Press release No.150/14.

53. As the Commission concluded in its merits report, no one has been made to answer for any of these violations, as the State did not open any investigation into the facts of the case when authorities became aware of them. The investigation only began in 2012, at the time of the Inter-American Commission's report on the merits; thus far, no significant progress has been made.

b. Case of the Kaliña and Lokono Peoples v. Suriname (referred on January 26, 2014)

54. This case involves a series of violations of the rights of the members of eight communities of the Kaliña and Lokono indigenous peoples of Suriname's Lower Marowijne River. Specifically, the violations have to do with an existing legal framework that does not allow for recognition of the indigenous peoples' juridical personality, a situation that to this day continues to prevent the Kaliña and Lokono peoples from being able to protect their right to collective property. In addition, the State has failed to establish the regulatory foundations that would allow for recognition of the right to collective ownership of the lands, territories, and natural resources of the Kaliña and Lokono indigenous peoples. This lack of recognition has been accompanied by the issuance of individual land titles to non-indigenous persons; the granting of concessions and licenses for mining operations in part of their ancestral territories; and the establishment and operation of three nature reserves in part of their ancestral territories.

55. The violations of the right to collective property as a result of this situation continue to this day. Moreover, thus far, no consultation process has been conducted with a view to obtaining the prior, free and informed consent of the Kaliña and Lokono peoples either before the mining concessions were granted or during their ongoing operation, or before the nature reserves were established and maintained. All these developments have occurred in a context devoid of judicial protection, since no effective remedies exist in Suriname by which indigenous peoples can claim their rights.

c. Case of José Agapito Ruano Torres and family v. El Salvador (referred on February 13, 2014)

56. This case concerns a series of violations of the American Convention to the detriment of José Agapito Ruano Torres, and the effects of those violations on his family. In the early morning hours of October 17, 2000, José Agapito Ruano Torres was taken into custody at his home and mistreated in the presence of his family. The Commission concluded that the physical and verbal abuse constituted torture. He was later criminally prosecuted and convicted in violation of the minimum due process guarantees. He is still serving his sentence.

57. Specifically, José Agapito Ruano Torres was convicted despite serious doubts as to whether he was in fact the person alleged to have committed the crime. He was tried and convicted without the State taking the minimum measures to establish his identity. Furthermore, the handling of the only two pieces of evidence on which his conviction was based was flawed by a number of irregularities. The IACHR therefore concluded that the State had violated the right to a presumption of innocence. It also considered that the poor performance of the public defender's office constituted a violation of the right of defense. In the Commission's view, his incarceration pursuant to a conviction handed down in violation of these guarantees was, and continues to be, arbitrary. The Commission also deemed that the State failed to provide effective resources and remedies to investigate the acts of torture that were suffered, to protect the victim from due process violations, or review his deprivation of liberty.

d. Case of Claudina I. Velásquez Paiz et al. v. Guatemala (referred on March 5, 2014)

58. The case concerns the Guatemalan State's international responsibility by its failure to meet its obligation to protect the life and physical integrity of Claudina Isabel Velásquez Paiz. When she did not arrive home, her parents went to officially report her disappearance, but were told that they had to wait 24 hours before filing the report. The State did not take immediate and exhaustive measures to search for and protect Claudina Isabel during the first hours after they learned of her disappearance, despite the fact that the State authorities were aware of the context of violence against women that placed the victim in a clear situation of imminent peril. The lifeless body of Claudina Isabel Velásquez Paiz was found the following day, August 13, 2005, with signs of her having been subjected to acts of extreme violence, including rape.

59. The State of Guatemala also incurred international responsibility by not having conducted a serious investigation into the disappearance, violence against, and death of Claudina Isabel Velásquez Paiz. Accordingly, the Commission found that from the start of the investigation there were many failings, such as deficiencies in the handling and analysis of the evidence collected; flaws in the handling and preservation of the crime scene and the taking of expert evidence; irregularities in the autopsy report; the lack of comprehensive tests on different parts of the victim's body to verify possible rape; irregularities in the taking of the victim's fingerprints; and the failure to take the testimony of relevant witnesses. In addition, the Commission also found that this case involved a delay attributable to the State, particularly evident in the fact that the prosecutors assigned to the case were constantly being changed. These changes interrupted the investigative process, with the result that the investigative measures were not conducted promptly or were not taken into account by the new prosecutors assigned to the case.

60. Moreover, discriminatory stereotypes were present during the proceedings, which had a serious impact in the form of a lack of diligence in the investigation. The Commission considered that both the lack of protection of Claudina Isabel Velásquez Paiz and the failure to properly investigate her death constitute a clear reflection of the underlying discrimination against women in Guatemala.

e. Case of Adán Guillermo López Lone *et al.* v. Honduras (referred on March 17, 2014)

61. This case concerns the disciplinary proceedings instituted against Judges Adán Guillermo López Lone, Luis Alonso Chévez de la Rocha, and Ramón Enrique Barrios Maldonado, as well as Magistrate Tirza del Carmen Flores Lanza, in the context of the June 2009 coup d'état in Honduras. The victims belonged to the "Asociación Jueces por la Democracia" (Association of Judges for Democracy), which issued public communiques describing the events surrounding the toppling of former President Manuel Zelaya as a coup d'état. This view directly contradicted the stance of the Supreme Court of Justice, which held that the events involved a constitutional succession. The IACHR concluded that the disciplinary proceedings were instituted for the purpose of punishing actions or statements by the victims against the coup d'état, and that the grounds for doing so ignored the procedure contemplated in the Constitution, which established that the Supreme Court was the competent authority to decide on the judges' dismissal "following a proposal from the Judicial Career Council." Contrary to that provision, the dismissals were carried out by means of Supreme Court agreements so that the Career Council acted *ex post facto* as an appellate body, despite its being answerable to the Court.

62. Moreover, the Commission found that the proceedings were also riddled with irregularities that affected the victims' right to due process. For example, given the Supreme Court's publicly stated position that the coup d'état was lawful, it failed to act impartially when ruling on the victims' dismissals. Nor did it give them the opportunity to challenge the members of the Judicial Career Council, who had been directly asked to serve on the council by its president, without the nomination process that would ensure its independence.

63. The Commission also concluded that the grounds invoked for disciplining the victims were in violation of the principle of non-retroactivity and that the decisions taken were not well-founded, which affected the victims' right to freedom of expression. The intervention of the State's disciplinary apparatus was also intended to hamper the victims' participation in the Association of Judges for Democracy, as a consequence of its actions against the coup d'état, so that violations of political rights and freedom of association were also involved. Finally, as a result of the decisions by the Judicial Career Council, the victims did not receive effective judicial protection and did not obtain redress of their rights.

f. Case of TGGL and family v. Ecuador (referred on March 18, 2014)

64. This case concerns the State's international responsibility for violating the right to a life of dignity and humane treatment of the child TGGL, as a result of her being infected with HIV through a blood transfusion on June 22, 1998, when she was 3 years old. The blood used for the transfusion came from the Azuay Red Cross Blood Bank, without the State having properly fulfilled its guarantee obligation, specifically its supervision and oversight of private entities that provide health services. Moreover, the Commission

concluded that the State's failure to properly respond to the situation created, particularly by failing to provide the victim with the specialized medical care she needed, still continued to affect the exercise of her rights. Finally, the Commission deemed that the investigation and domestic criminal proceedings, which culminated with a declaration that the time for legal action had lapsed, did not meet the minimum standards of due diligence to offer effective redress to the child TGGL and her family members. The Commission found that the totality of the case demonstrated the State's failure to comply with its special obligation to protect TGGL because she was a child.

g. Case of Omar Maldonado Vargas *et al.* v. Chile (referred on April 12, 2014)

65. This case involves a denial of justice to the detriment of Omar Humberto Maldonado Vargas, Álvaro Yañez del Villar, Mario Antonio Cornejo Barahona, Belarmino Constanzo Merino, Manuel Osvaldo López Ovanedel, Ernesto Augusto Galaz Guzmán, Mario González Rifo, Jaime Donoso Parra, Alberto Salustio Bustamante Rojas, Gustavo Raúl Lastra Saavedra, Víctor Hugo Adriazola Meza, and Ivar Onoldo Rojas Ravanal. The denial of justice arose from the failure to proactively and diligently investigate the acts of torture suffered by the victims in the context of the Chilean military dictatorship. Moreover, in denying appeals for review and reversal filed on September 10, 2001, and September 7, 2002, respectively, the State of Chile failed to comply with its obligation to provide effective recourse to the victims to overturn a criminal case that had taken into account evidence obtained under torture. As a result, the victims did not have any mechanism at their disposal to lay claim to the exclusionary rule as an essential corollary to the absolute ban on torture.

h. Case of Ana Teresa Yarce *et al.* v. Colombia (referred on June 3, 2014)

66. The case concerns the Colombian State's international responsibility for a series of human rights violations committed against five human rights defenders and their families starting in 2002, in the place known as *Comuna 13* in the city of Medellín. This sequence of events took place amid the armed fighting being waged in that area, a situation of which the Colombian State was aware and which involved clashes between illegal armed groups and combined military and police forces for several decades. The fighting in *Comuna 13* intensified when, in 2002, the State staged military operations; in the wake of these operations, the paramilitary became a stronger presence in *Comuna 13*.

67. Against this backdrop, Mrs. Myriam Eugenia Rúa Figueroa and Mrs. Luz Dary Ospina were the targets of threats and harassment; their homes were searched and occupied, which ultimately forced them to move. For their part, Mery Naranjo, María del Socorro Mosquera and Ana Teresa Yarce were arbitrarily taken into custody. Then after filing a series of complaints about the unchecked activities of paramilitary groups, in connivance with the military and police forces, Mrs. Ana Teresa Yarce was killed on October 6, 2004. When this happened, Mrs. Mery Naranjo and Mrs. María del Socorro Mosquera were forced to move as well.

68. The Commission believed that this serious sequence of events has had a profound impact on the nuclear families of the five human rights defenders; the children were particularly affected. No one has ever been made to answer for any of these events.

69. The Commission also believed that all these events occurred because of the State's failure to fulfill its heightened duty to protect and respond, a duty that was even more pronounced because of the particular risk that the women defenders of human rights were facing given the discrimination they had historically suffered, the particular nature of their work, and the heightened danger in areas under the control of the actors involved in the armed conflict.

i. Case of Valdemir Quispealaya Vilcapoma v. Peru (referred on August 5, 2014)

70. This case concerns the violation of Valdemir Quispealaya Vilcapoma's right to humane treatment, when on January 23, 2001 he was struck by a noncommissioned officer because of mistakes he had made during firing practice while in the military service. The blow was delivered with the butt of a firearm to the victim's forehead and eye, and resulted in the victim's loss of vision in his right eye. In its Merits Report,

the Commission concluded that these acts are part of a pattern of torture and cruel, inhuman and degrading treatment that the Peruvian Ombudsperson's Office found on military installations and that can be traced to a deeply engrained and mistaken interpretation of military discipline. The Commission also concluded that the State did not provide effective remedies to the victim and his next of kin, as the competent authorities failed to institute an official investigation; nor were the necessary measures taken to preserve the object and purpose of the criminal process, despite the fact that Valdemir Quispealaya Vilcapoma repeatedly complained of threats against him and others who had witnessed the events; the case was with the military courts for almost seven years, and has dragged on for an unreasonable period of time. In short, the Commission concluded that no one has been made to answer for the events in this case.

j. Case of the Members of the Village of Chichupac and Neighboring Communities of the Municipality of Rabinal v. Guatemala (referred on August 5, 2014)

71. The case concerns a series of massacres, extrajudicial executions, torture, forced disappearances and rapes against the members of the village of Chichupac and neighboring communities in the Municipality of Rabinal, perpetrated as part of the operations carried out by the National Army and its collaborators during the internal armed conflict in Guatemala. Thus, on January 8, 1982, 32 persons were tortured and massacred. Between 1981 and 1986, 39 persons were tortured and extrajudicially executed in multiple operations. The victims were all civilians who were completely defenseless at the time of their detention, torture and execution. Eight others were disappeared between August 24, 1981, January 8, 18 and 31 and February 12, 1982, and December 13, 1984. All these persons had last been seen in the custody of State agents. Their whereabouts are still unknown. Furthermore, two women were raped on January 8, 1982, and November 22, 1982; another woman was the victim of multiple rapes between October 1982 and June 1985. She was also the victim of forced labor in the "Chichupac model village" on orders from members of the National Army. The Commission also found that the survivors of the village of Chichupac and neighboring communities were victims of forced displacement. It also found that the egregious violations committed in this case were compounded by violations of the right to honor and dignity, the right to freedom of conscience and religion, freedom of association, the right to property and political rights.

72. The facts of the case were part of a State strategy intended to annihilate an ethnic group by means of military operations in which thousands of Mayan indigenous persons were slaughtered, the survivors forced to flee and their subsistence economies destroyed; lastly, thousands of Mayan indigenous persons were intentionally forced into living conditions that made them dependent on the military structure. In short, the Commission considered that the facts of the case constituted part of the genocide perpetrated against the Mayan indigenous people in Guatemala. More than three decades have passed since the events of this case; more than two decades have passed since the first complaint was filed, and yet no one has been made to answer for these crimes.

k. Case of María Inés Chinchilla Sandoval *et al.* v. Guatemala (referred on August 19, 2014)

73. This case concerns the human rights violations committed against María Inés Chinchilla Sandoval as a result of multiple actions and omissions that ended in her death, both while she was an inmate at the *Centro de Orientación Feminina* (COF). The Commission found that for the duration of Chinchilla Sandoval's incarceration, the Guatemalan State had a special duty as guarantor of her rights to life and personal integrity. However, it failed to conduct the full testing necessary to determine what illnesses she was suffering from, and failed to provide all the treatment and care she required. Although Mrs. María Inés Chinchilla Sandoval was a diabetic, the State failed to provide the periodic testing, equipment, special medications, constant dietary vigilance and care that her diabetic condition required. On the contrary, Mrs. Chinchilla had to supply her own medications and food, relying on her own means or her family. The result was that her medical conditions deteriorated; one of her legs had to be amputated and her diabetic retinopathy and occlusive atherosclerosis worsened. Likewise, despite the special obligations incumbent upon the State when it incarcerates a person with disabilities, the Guatemalan State did not provide her with the conditions necessary to protect her rights, especially when one considers that Mrs. Chinchilla Sandoval was confined to a wheelchair and had other special needs owing to her condition. In fact, on the day of her

death, because she had no one to assist her she fell from her wheelchair down the stairs and was not provided with adequate medical treatment or the hospital care required in an emergency situation.

74. The Commission considered the fact that although Mrs. Chinchilla had applied several times for “remission of sentence” citing her deteriorating health and the problems with the treatment she was receiving, she did not receive effective judicial protection. Furthermore, the investigation undertaken by the State did not determine whether the established causes of her death (“pulmonary edema” and “hemorrhagic pancreatitis”) were the result of a lack of proper medical care and the detention conditions in which Mrs. Chinchilla was held. To this day, the various types of blame that may attach to her death have never been established.

l. Case of Agustín Bladimiro Zegarra Marín v. Peru (referred on August 22, 2014)

75. The case concerns violation of the principle of presumption of innocence and of the court’s obligation to provide a reasoned judgment, to the detriment of Agustín Bladimiro Zegarra Marín, who on November 8, 1996 was convicted by the Superior Court’s Fifth Criminal Chamber of crimes against the administration of justice (personal complicity), crimes against the public faith (falsification of documents in general) and corruption of government officials. That court authority specifically wrote that the only evidence against the victim were the statements made by his co-defendants. Furthermore, although there was exculpatory evidence that directly refuted those statements, the court did not explain the reasons why that evidence did not create doubt as to the victim’s criminal culpability and instead simply stated that the charges made by the co-defendant were “feasible”. The Commission concluded that the criminal conviction of an individual based solely on the “feasibility” of the assertions made in a co-defendant’s statement must be examined in light of the principle of presumption of innocence. Furthermore, in the instant case, the Commission found that the burden of proof had been turned upside down, which was patently evident in the conviction, where the Fifth Criminal Court wrote that “no convincing rebuttal evidence has been presented that would show the defendant to be completely innocent of the crimes of which he stands accused.” Furthermore, the Commission found that the December 17, 1997 decision on the victim’s appeal to vacate the court ruling did not respect the right to appeal a judgment and that neither the appeal to vacate the decision nor the appeal for review, decided on August 24, 1999, constituted effective remedies against the violations of due process committed with the conviction handed down by the court of first instance.

m. Case of Rigoberto Tenorio Roca *et al.* v. Peru (referred on September 1, 2014)

76. This case concerns the detention, transfer, torture, and subsequent forced disappearance of Mr. Rigoberto Tenorio Roca as of July 7, 1984 by members of the Marine Infantry in the province of Huanta, department of Ayacucho. These facts took place in a context of systematic violations of human rights during the internal armed conflict in Peru, in a zone and in a period when the use of forced disappearance against persons perceived as terrorists or collaborators of terrorism was systematic and widespread. To this day no determination has been made as to the fate or whereabouts of Mr. Tenorio Roca and no one has been made to answer for his forced disappearance.

n. Case of Angel Alberto Duque v. Colombia (referred on October 21, 2014)

77. The case concerns Ángel Alberto Duque’s exclusion from the possibility of obtaining a survivor’s pension after the death of his partner, based on the fact that his partner was of the same sex. Ángel Alberto Duque was a victim of discrimination based on his sexual orientation. While the goal of protecting the family, invoked by the State, was legitimate in the abstract, the difference in treatment could not be considered proper, as the concept of family cited by the authorities is limited and stereotyped, arbitrarily excluding different types of families such as those formed by same-sex partners. Moreover, the State did not provide the victim with an effective remedy for the violation; to the contrary, with their decisions the judicial authorities who heard the case perpetuated the damage and stigma against individuals and same-sex couples. In addition, due to the multiple vulnerability factors affecting Ángel Alberto Duque—including his sexual orientation, his status as someone with HIV, and his economic situation—the victim’s right to humane treatment was also affected.

o. Case of Herrera Espinoza *et al.* v. Ecuador (referred on November 21, 2014)

78. This case concerns the arbitrary deprivation of liberty and torture of which Messrs. Jorge Eliécer Herrera Espinoza, Luis Alfonso Jaramillo González, Eusebio Domingo Revelles and Emmanuel Cano were victims during an investigation into international drug trafficking; it also concerns the violations of the rights to due process and judicial protection to the detriment of Mr. Eusebio Domingo Revelles in the course of the criminal trial in which he was prosecuted and convicted on the basis of that investigation. The Commission considered that the arrests and pretrial detentions to which the victims were subjected were done on the basis of laws that violate the American Convention. It further established that the remedy of *habeas corpus* filed by Eusebio Domingo Revelles did not constitute an effective judicial remedy for a variety of reasons, one of which was the fact that it was heard by an administrative authority rather than a judicial authority.

79. The Commission established that the victims were tortured while held in the facilities of the Pichincha National Police, the goal being to force them to make self-incriminating statements, which were then used to implicate Mr. Eusebio Domingo Revelles and prosecute him in a criminal trial in which his right of defense was not guaranteed, nor was his right to information on consular assistance, as he was a Spanish national.

80. The Commission observed that the judicial authorities also violated the principle of presumption of innocence by lending credence to the self-incriminating statements that Mr. Eusebio Domingo Revelles made under torture, without weighing or disproving, in a reasoned judgment, the exculpatory evidence introduced. This was due to a number of factors, one of which was the result of application of Article 116 of the Law on Narcotic Drugs and Psychotropic Substances, which provided for a “presumption of culpability wherever the *corpus delicti* so warrants.” Finally, the Commission established that the State violated its international obligations by failing to exclude from the criminal case any evidence obtained under torture and by thus far failing to investigate the torture that all the victims endured.

p. Case of Manfred Amrhein *et al.* v. Costa Rica (referred on November 28, 2014)

81. This case concerns Costa Rica’s international responsibility for its failure to provide a remedy that would allow for a full review of the criminal convictions handed down against 17 persons. Under the framework of criminal procedure in effect at the time of the convictions in question, the only existing remedy was cassation, which was limited to matters of law, thus precluding any possibility of a review of the facts of the case and evidence. Furthermore, the Commission considered that the two legislative reforms adopted by the State since the convictions in question also failed to guarantee the victims’ right to appeal the judgment, since the mechanisms available to persons whose sentences had become final before those amendments were introduced had the same limitations. Moreover, the Commission considered that in the case of some victims, the State had violated the right to judicial guarantees in the court proceedings conducted in the cases against them, the right to personal liberty because the period of pretrial detention was unreasonable, and the right to humane treatment because of the harsh prison conditions at the penitentiary where they were held.

q. Case of Olga Yolanda Maldonado v. Guatemala (referred on December 3, 2014)

82. This case concerns an administrative proceeding that resulted in Mrs. Olga Yolanda Maldonado Ordóñez’ dismissal. She had been working as a staff member in the Office of the Prosecutor for Human Rights in Guatemala. The Commission’s understanding was that as this was a proceeding leading to the imposition of sanctions, the guarantees under Article 8(1) of the American Convention were required, as was observance of the principle of strict legality, the presumption of innocence and the guarantees necessary to allow the victim to exercise her right of defense. The Commission concluded that under the applicable normative framework the Prosecutor for Human Right was competent to conduct the proceeding; however, the way in which Mrs. Maldonado was informed of the violations she was alleged to have committed made it difficult for her to understand the precise objective of the proceedings instituted against her. In that sense, Mrs. Maldonado mounted her defense without the minimum information necessary for the purpose.

83. The Commission further concluded that Agreement No. 81-2000 from the Prosecutor for Human Rights, by virtue of which Mrs. Maldonado was dismissed, was issued in violation of the duty to state grounds, the principle of legality and the principle of presumption of innocence. The statement laying out the grounds for her dismissal asserts that Mrs. Maldonado was dismissed from her post in response to a “reported situation”, yet no investigation was ever undertaken to determine whether the victim had in fact committed the breaches of conduct of which she was accused. The Guatemalan State admitted this to the Commission. Finally, the Commission concluded that none of the remedies that Mrs. Maldonado attempted allowed for a review of the penalty imposed and were not effective means for challenging violations of due process.

r. Case of Homero Flor Freire v. Ecuador (referred on December 11, 2014)

84. This case concerns the Ecuadorian State’s international responsibility as a consequence of the decisions that led to Mr. Homero Flor Freire’s discharge from the Ecuadorian Army based on the Rules of Military Discipline then in force. Under those Rules, sexual acts between persons of the same sex were grounds for discharge from the service. The Commission was of the view that while maintenance of discipline within the ranks of a military service is a legitimate objective, the means used, i.e., a penalty for “homosexual acts” committed in the armed forces, was not relevant to the end sought, i.e., protection of military values like honor, dignity, discipline and civility. The Commission noted that to assert otherwise would be to attach a negative value to the sexual act between persons of the same sex and to promote stigmatization against lesbians, gays, bisexual persons or those perceived as being so.

85. Furthermore, the Commission found that under the Rules of Military Discipline then in force the penalty for “illegitimate sexual acts” was less harsh than the penalty for those that the Rules labeled “acts of homosexuality.” The Commission found this difference in treatment to be discriminatory. It also found that in the evidentiary activity in the proceedings conducted in the case at hand and in the court’s reasoning, biases and discriminatory prejudices were present concerning the fitness of a person for his functions within the military service based on his real or perceived sexual orientation. Finally, the Commission found that the guarantee of impartiality was violated in the proceedings conducted against Mr. Homero Flor Freire and that the petition for protection was not an effective remedy for protection of his rights.

s. Case of the Village of La Esperanza v. Colombia (referred on December 13, 2014)

86. This case concerns the forced disappearance of 16 persons, including three children, and the execution of another person, events that occurred in the village of La Esperanza in the municipality of El Carmen de Viboral, Department of Antioquía, between June 21 and December 27, 1996. The Commission found that Colombian Armed Forces officials coordinated with members of the paramilitary group known as *Autodefensas del Magdalena Medio*, to execute incursions into the village of La Esperanza, as the victims were suspected of being sympathetic to or collaborating with guerrilla groups operating in the area. All the events, with the exception of one committed directly and exclusively by the Colombian Armed Forces, were the work of the paramilitary group and were done with the support and acquiescence of State agents. Furthermore, the IACHR found that no one has ever been made to answer for these crimes because the investigation conducted by the regular criminal justice system and under the Justice and Peace Law was not a diligent investigation and did not punish any of those responsible for these events.

2. Requests for provisional measures

a. Two girls from the Taromenane people in voluntary isolation regarding Ecuador

87. On January 19, 2014, the Inter-American Commission submitted a request for provisional measures to the Inter-American Court of Human Rights, asking it to order the Ecuadorian State to protect the life, physical integrity, right to family, and right of identity of two girls –approximately 2 to 6 years of age– who were from the Taromenane people in voluntary isolation in the Ecuadorian Amazonian rain forest.

88. The request was based on the extreme and urgent risk of irreparable harm to the two girls' rights to life, physical integrity, family and identity. In the course of an alleged brutal massacre committed on March 30, 2013, they witnessed the murder of their mother and other members of the Taromenane people; they were separated from the indigenous people to which they belonged and taken by communities of the Waorani people from whence the assailants came.

89. The Commission repeatedly requested information from the Ecuadorian State. Nevertheless, the State refrained from reporting what measures it had taken to protect the girls. It was not until the matter was referred to the Inter-American Court and after a request made by the IACHR that the Ecuadorian State presented information on the matter.

90. Based on that information, which the Commission did not have in its possession at the time it requested the provisional measures, the Inter-American Court, in an order dated March 31, 2014, determined that provisional measures would not be granted.

b. Matter of the Penitentiary Complex of Curadó regarding Brazil

91. On March 31, 2014, the Inter-American Commission requested provisional measures of the Court asking that it order the State of Brazil to adopt, without delay, the measures necessary to preserve the life and physical integrity of the persons deprived of liberty in the 'Profesor Aníbal Bruno' prison complex, and any person in that establishment, which is located in the city of Recife, Pernambuco state, Brazil.

92. The request was made in response to an exceptional situation involving the extreme and immediate risk of irreparable harm to the rights to life and physical integrity in that prison facility. According to what was reported to the Commission, in recent years individuals in this facility have reportedly met with violent deaths; hundreds of persons deprived of liberty in the prison have allegedly been the victims of acts of torture or cruel, inhuman or degrading punishment. Furthermore, both the prison authorities and persons visiting the prison have been caught up in incidents of violence that reportedly placed them at extreme risk. The heightened danger continued despite the IACHR's adoption of precautionary measures. The main risk factors identified by the Commission are: i) the alleged use of disciplinary practices and acts of violence by prison authorities, said to amount to acts of torture, cruel, inhuman or degrading treatment; ii) the alleged indiscriminate use of force and firearms by prison officers; iii) the alleged "chaveiros", i.e., inmates who impose disciplinary measures and practice violence against other inmates; iv) the alleged lack of effective control inside the prison walls; v) the alleged trafficking in weapons among the inmates; vi) the alleged lack of medical care in urgent cases and the spread of contagious illnesses; vii) the heightened violence brought on by severe overcrowding and the lack of a minimum supply of food and drinking water; and viii) the alleged lack of an effective judicial response to these conditions.

93. The Inter-American Court granted the provisional measures on May 22, 2014. Those measures are still in effect as of the date of approval of this annual report.

c. Matter of Danilo Rueda regarding Colombia

94. On April 23, 2014, the Inter-American Commission sought provisional measures from the Court, asking it to order the Colombian State to protect the life and personal integrity of human rights defender Danilo Rueda.

95. The request was based on the extreme risk that Danilo Rueda was facing in performing his work as a human rights defender. Mr. Danilo Rueda is a human rights defender and founding member of the CIJP (for its acronym in Spanish) [Inter-Church Justice and Peace Commission]. Although the members of the CIJP have been under the protection of precautionary measures for a number of years, the specific risk in the case of Danilo Rueda has increased sharply in recent months; a series of threats have been directly targeted against him. Therefore, given that his particular situation has gradually deteriorated, the Commission deemed it necessary to file the request so that the Inter-American Court might set the provisional measures mechanism in motion.

96. On May 28, 2014, the Inter-American Court granted the provisional measures, which are still in effect as of the date of approval of the present annual report.

d. Matter of the Pedrinhas prison complex regarding Brazil

97. On September 23, 2014, the Inter-American Commission sought provisional measures from the Inter-American Court asking that it order the State of Brazil to adopt, without delay, the measures necessary to protect the life and personal integrity of the persons incarcerated in the Pedrinhas prison complex and of any other person in that establishment, which is located in the city of São Luís, Maranhão state, Brazil.

98. The request was based on the exceptional situation at that prison facility, involving an extreme and imminent risk of irreparable harm to the rights to life and personal integrity. According to what was reported to the Commission, in the last year dozens of Pedrinhas prison inmates have either met violent deaths or been the victims of alleged acts of torture or cruel, inhuman or degrading treatment. Visitors to the prison and the prison guards have also been affected by incidents of violence that reportedly placed them in a situation of extreme risk.

99. The main risk factors identified by the Commission are: i) the alleged acts of violence that some inmates perpetrate against others, leaving dozens of inmates dead; ii) the alleged use of firearms among inmates; iii) the alleged use of violence by the prison authorities purportedly amounting to torture or cruel, inhuman or degrading treatment; iv) the allegedly indiscriminate use of force and firearms by prison guards; v) the alleged lack of effective control inside the prison and the use of private security guards; vi) the alleged lack of medical attention in urgent cases and the absence of measures to control the spread of contagious illnesses; vii) the high rate of overcrowding; viii) the lack of the minimum in the way of food, drinking water, hygienic supplies and others, and ix) the alleged lack of an effective judicial response to such events and conditions.

100. On November 14, 2014, the Inter-American Court granted provisional measures, which are still in effect as of the date of approval of this annual report.

3. Appearance and participation in public and private hearings

101. From January 27 to February 7, 2014, the Commission participated in the hearings held on the occasion of the Court's 102nd regular session, held in San José, Costa Rica. During the course of that session, public hearings were held on the following active cases: *Cruz Sánchez et al. – Chavín de Huantar (Peru)*; *Gudiel Ramos et al. (Guatemala)*; and *Landaeta Mejías Brothers (Venezuela)*. On February 4, 2014, the Executive Secretariat participated in the private hearings held to monitor compliance with judgments and provisional measures in the *Case of García Prieto (El Salvador)* and the *Case of the La Rochela Massacre (Colombia)*.

102. From March 31 to April 4, 2014, the Commission participated in the hearings held during the 50th special session of the Court, held in San José, Costa Rica. At that session, public hearings were held on the *Case of Rochac Hernández et al. (El Salvador)*, the *Case of the Kuna Indigenous People of Maungandí and Emberá Indigenous People of Bayano and Their Members (Panama)*, and the *Case of Espinoza González (Peru)*.

103. From May 12 to 30, 2014, the Commission participated in the hearings held on the occasion of the Court's 103rd regular session, held in San José, Costa Rica. During that session, public hearings were held in the following cases: *Garifuna Community of "Triunfo de la Cruz" (Honduras)*; *Tarazona Arrieta et al. (Peru)*; *Arguelles et al. (Argentina)*; and *Granier et al. (Venezuela)*. The Commission also participated in three private hearings the Court held to monitor compliance with judgments. The first hearing concerned the *Impunity Attending a Group of Guatemalan Cases*; the second concerned the *Case of Gomes Lund et al. (Brazil)*, while the third hearing was on the *Yakye Axa, Sawhoyamaya and Xakmok Kasek cases (Paraguay)*.

104. From September 1 through 4, 2014, the Commission participated in the hearings the Court held during its 51st special session, held in Asunción, Paraguay. During that session, two public hearings were held, the first concerned the *Garifuna Community of Punta Piedra and its Members (Honduras)*, while the second concerned the *Case of Wong Ho Wing (Peru)*.

105. From October 13 through 17, 2014, the Commission took part in the hearing held during the Court's 105th regular session, held in San José, Costa Rica. The hearing in the *Case of Canales Huapaya et al. (Peru)* was held during that session

106. From November 10 to 21, 2014, the Commission participated in the hearings held during the Court's 106th regular session, held in San José, Costa Rica. During that session, three hearings were held to monitor compliance with the judgments delivered in the cases of *Ibsen Peña and Ibsen Cárdenas (Bolivia)*; *Ticona Estrada (Bolivia)*; and the *Ituango Massacres (Colombia)*. Likewise, the Commission took part in a joint public hearing on provisional measures in the following matters: *Alvarado Reyes et al.* and *Castro Rodríguez (Mexico)*.

4. Presentation of written observations on State reports in cases of supervision of compliance with judgments

107. In keeping with the mandate established in Article 57 of the American Convention and the provision contained in Article 69 of the Court's Rules of Procedure, in exercise of its role of defending inter-American law and order, in 2014 the Commission continued to present information and prepare written observations on the states' reports concerning compliance with judgments. In exercise of this function, the Commission presented 111 briefs of observations to the Inter-American Court.

5. Presentation of written observations on State reports on the implementation of provisional measures

108. In compliance with the mandate established in Article 63(2) of the American Convention, and the provision contained in Article 27(7) of the Court's Rules of Procedure, and in exercise of its role of defending inter-American law and order, in 2014 the Commission continued to present information and prepare briefs containing observations on State reports on the implementation of provisional measures. In performing this function, the Commission presented 68 briefs of observations to the Inter-American Court.

D. Forty-Fourth regular session of the OAS General Assembly

109. At the forty-fourth regular session of the General Assembly of the Organization of American States, held in Asuncion, Paraguay from June 3 to 5, 2014, the Commission was represented by its President, Commissioner Tracy Robinson. The President of IACHR addressed the General Assembly on the situation of human rights in OAS member States and officially presented the 2013 Annual Report of the IACHR.⁹

110. The General Assembly adopted several resolutions and declarations regarding human rights; those are available on the OAS website at: <http://scm.oas.org/pdfs/2014/AG06712E04.doc>. Given their importance for the observance and defense of human rights in the Americas and the strengthening of the Inter-American system, they are listed below:

Resolutions concerning the organs of the Inter-American human rights system

AG/RES. 2849 (XLIV-O/14)

Annual Reports of the Inter-American Court of Human Rights, Inter-American Commission on Human Rights, Inter-American Juridical Committee, and Justice Studies Center of the Americas

⁹ In this regard, see IACHR press release No. 43/14, "IACHR presents Annual Report".

Resolutions containing requests to the IACHR

AG/RES. 2822 (XLIV-O/14)	Right to the Truth
AG/RES. 2829 (XLIV-O/14)	Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
AG/RES. 2840 (XLIV-O/14)	Promotion and Protection of Human Rights in Business
AG/RES. 2842 (XLIV-O/14)	Access to Public Information and Protection of Personal Data
AG/RES. 2850 (XLIV-O/14)	Internally Displaced Persons
AG/RES. 2851 (XLIV-O/14)	Human Rights Defenders: Support for the Individuals, Groups, and Organizations of Civil Society Working to Promote and Protect Human Rights in the Americas
AG/RES. 2857 (XLIV-O/14)	Process of Reflection on the Workings of the Inter-American Commission on Human Rights with a View to Strengthening the Inter-American Human Rights System
AG/RES. 2863 (XLIV-O/14)	Human Rights, Sexual Orientation, and Gender Identity And Expression
AG/RES. 2867 (XLIV-O/14)	Draft American Declaration on the Rights of Indigenous Peoples
AG/RES. 2868 (XLIV-O/14)	Promotion and Protection of Human Rights in the Search for New Approaches and Effective Solutions in the Development and Implementation of Policies for Addressing the World Drug Problem in the Americas

Other resolutions concerning human rights (without specific requests)

AG/DEC. 74 (XLIV-O/14)	Declaration of Asunción “Development with Social Inclusion”
AG/DEC. 76 (XLIV-O/14)	Declaration on Violence against and Exploitation of Children
AG/DEC. 79 (XLIV-O/14)	Rights of the Indigenous Peoples of the Americas
AG/RES. 2816 (XLIV-O/14)	Advancing Hemispheric Initiatives on Integral Development
AG/RES. 2821 (XLIV-O/14)	Toward Autonomy for and Strengthening of Official Public Defenders as a Guarantee of Access to Justice
AG/RES. 2823 (XLIV-O/14)	Adoption of the Follow-up Mechanism for Implementation of the Protocol of San Salvador
AG/RES. 2824 (XLIV-O/14)	Recognition of the International Decade for People of African Descent
AG/RES. 2825 (XLIV-O/14)	Draft Inter-American Convention on Protecting the Human Rights of Older Persons

AG/RES. 2826 (XLIV-O/14)	Prevention and Reduction of Statelessness and Protection of Stateless Persons in the Americas
AG/RES. 2828 (XLIV-O/14)	Prevention and Eradication of Sexual Exploitation and Smuggling of and Trafficking in Boys, Girls, and Adolescents of Both Sexes
AG/RES. 2831 (XLIV-O/14)	Promotion of Women’s Human Rights and Gender Equity and Equality and Strengthening of the Inter-American Commission of Women
AG/RES. 2832 (XLIV-O/14)	Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém Do Pará”
AG/RES. 2835 (XLIV-O/14)	Promotion and Strengthening of Democracy: Follow-Up to the Inter-American Democratic Charter
AG/RES. 2839 (XLIV-O/14)	Protection of Asylum Seekers and Refugees in the Americas
AG/RES. 2843 (XLIV-O/14)	Follow-Up to the Inter-American Program for Universal Civil Registry and the “Right to Identity”
AG/RES. 2845 (XLIV-O/14)	Rights of Persons Deprived of Liberty
AG/RES. 2847 (XLIV-O/14)	Recognition and Promotion of the Rights of People of African Descent in the Americas
AG/RES. 2852 (XLIV-O/14)	Promotion of International Law
AG/RES. 2854 (XLIV-O/14)	Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities and Its Technical Secretariat
AG/RES. 2855 (XLIV-O/14)	Convocation of a Meeting of Governmental Experts on Land Rights, Natural Resources, Development, and Consultation: Experiences and Challenges
AG/RES. 2864 (XLIV-O/14)	Persons Who Have Disappeared and Assistance to Members of their Families

E. Activities of the IACHR with other regional and international human rights mechanisms

111. The Inter-American Commission has continued to work very closely with various United Nations mechanisms in the context of its mandate, giving priority to synergies among human rights mandates. In this connection, 2014 was distinguished by the signature of a Joint Declaration of cooperation between the IACHR and the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, during the High Commissioner’s visit to IACHR headquarters on November 19. The Declaration reaffirms joint work streams as well as information-sharing, joint follow-up on recommendations, and joint thematic cooperation. It formalizes practices developed over many years, including joint statements or press releases, periodic meetings, sharing of information on ongoing activities, and cooperation on the preparation of technical reports. These practices were also previously formalized in the recommendations arising out of a workshop on areas for cooperation between the United Nations and regional organizations.

112. Collaboration between the IACHR and the various United Nations bodies includes close coordination, sharing of experiences and standards, and joint planning. To strengthen this collaboration, both bodies have appointed a focal point to help build synergy among officials of the various areas. Important instances of such information-sharing have occurred in the preparations for visits by the IACHR and its rapporteurs to various countries in the region and the support provided by various United Nations field organizations for IACHR activities during these visits. For example, information provided by the Subcommittee on Prevention of Torture from its 2012 visit to Paraguay was very helpful for the IACHR Country Rapporteur during his visit there in August 2014. Similarly, the support of the UNICEF country office in Mexico was indispensable to the Rapporteur on the Rights of the Child during her October 2014 visit to that country.

113. This collaboration also includes the participation of commissioners and special rapporteurs or their representatives in formal and informal meetings, experts' meetings, activity planning meetings, public hearings, and so forth. In 2014, these activities included the following:

114. On March 13, 2014, the Rapporteur on the Rights of the Child made a presentation before the United Nations Human Rights Council on progress and challenges for realizing the right of children and adolescents to access to justice in the inter-American human rights system. The presentation took place in the context of the Human Rights Council's annual full-day meeting on the rights of the child. This year's thematic focus coincided with the recent entry into force of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which made the contributions of regional systems to access to justice of particular interest.

115. On April 7 and 8, the then-Special Rapporteur on Freedom of Expression made an academic visit to Brazil together with the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue. On May 5 and 6, she participated in the events commemorating World Press Freedom Day, also attended by the UN Special Rapporteur on the right to freedom of opinion and expression, Frank La Rue. In the context of these events, the IACHR Special Rapporteur on Freedom of Expression, the United Nations (UN) Special Rapporteur on the right to freedom of opinion and expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information adopted a Joint Declaration on Internationality and the Right to Freedom of Expression.

116. From April 22 to 24, 2014, the Rapporteur on the Rights of the Child was in Mexico City, Mexico, at the invitation of UNICEF, for the purpose of disseminating the IACHR report *The Right of Boys and Girls to a Family*.

117. On May 16 to 18, 2014, the Rapporteur on the Rights of the Child participated in the International Conference on Child-Friendly Justice, organized by Stockholm University with the participation of representatives of the international and regional human rights systems and experts and scholars in the field. The Rapporteur presented a paper on children's access to justice in the inter-American human rights system.

118. On June 10 and 11, 2014, the MERCOSUR Institute of Public Policy on Human Rights (IPPDH) and the Coordinator of Labor Unions of the Southern Cone (Coordinadora de Centrales Sindicales del Cono Sur, CCSCS) organized the "Dialog on Regional Integration, Migration Policy, and Human Rights" in the national congress in Buenos Aires, Argentina. In the context of this event, a lawyer of the Rapporteurship on the Rights of Migrants spoke on progress and challenges for the protection of the rights of migrant persons in the Americas and the insight and analysis in the light of the protection mechanisms of the inter-American human rights system.

119. On June 27 and 28, the Rapporteur on the Rights of the Child was invited by the Government of Jamaica and the UN Office of the Special Representative of the Secretary-General on Violence against

Children to participate in the Cross-Regional Meeting for Advancing the Protection of Children from Violence, in Kingston, Jamaica. Delegations from every region of the world met to share successful experiences and analyze progress on legislative frameworks, public policy and practices for preventing violence against young children. Commissioner Ortiz made a presentation on current trends, progress, and challenges in the region, stressing the importance of preventive interventions beginning at birth, as well as with family and community.

120. On September 12, the Special Rapporteur on Freedom of Expression participated in a panel discussion on the right to privacy in the digital age during the 27th session of the United Nations Human Rights Council in Geneva. During the discussion, the Rapporteur made a presentation on inter-American standards on freedom of expression and the Internet.

121. In the context of the sixtieth anniversary of the adoption of the Convention relating to the Status of Stateless Persons, Commissioner Felipe González made a presentation on IACHR standards concerning statelessness and citizenship in the context of the First Global Forum on Statelessness, which was organized by the United Nations High Commissioner for Refugees (UNHCR) and Tilburg University and took place from September 15 to 17 in The Hague, Netherlands.

122. On September 26, 2014, Commissioner Rose-Marie Belle Antoine participated in the first meeting between the United Nations Committee on the Rights of Persons with Disabilities and the regional human rights mechanisms, which took place in Geneva, Switzerland. The purpose of this meeting was to allow the representatives of the respective mechanisms to share information on the following subjects: (a) procedural and substantive developments in the promotion and protection of the human rights of disabled persons; (b) involvement of organizations working this area in the activities of the respective mechanisms; (c) substantive issues relating to the topic; (d) the situation of especially vulnerable groups such as women and children with disabilities, and (e) steps for advancing the promotion and protection of the rights of disabled persons.

123. As a follow-up to the 2012 meeting, the High Commissioner organized an International Workshop on Enhancing Cooperation between United Nations and Regional Mechanisms for the Promotion and Protection of Human Rights, involving all of the regional organizations. The workshop, which took place from October 8 to 10 in Geneva, was attended by the President of the IACHR and the Executive Secretary of the IACHR, together with representatives of the African human rights system, ASEAN, the Council of Europe, the OSCE, and the Inter-American Court.

124. On this occasion, they held a working meeting with the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein; the Director of the Field Operations and Technical Cooperation Division, members of the Special Procedures Branch and of the Americas, Europe and Central Asia Branch, and Focal Points for the various regional human rights organizations. They also met with members of the African Commission on Human and Peoples' Rights (ACHPR) and to exchange experiences on human rights mechanisms in the area of sexual orientation and gender identity.

125. On October 10, 2014, the President, Commissioner and Rapporteur on the Rights of Women, Tracy Robinson, participated in a Geneva conference on discrimination against women in family life and culture organized by the United Nations Working Group on the issue of discrimination against women in law and in practice.

126. On October 27, 2014, the Office of the Rapporteur on the Rights of Women and the Inter-American Commission of Women held a joint event marking the 20th anniversary of the Convention of Belém do Pará with the thematic focus of reparations with a gender perspective. The keynote speaker was Rashida Manjoo, United Nations Special Rapporteur on violence against women, its causes and consequences. Tracy Robinson, Chair, Commissioner, and Rapporteur on the Rights of Women; Carmen Moreno, Executive Secretary of the Inter-American Commission of Women; and Luz Piedad Caicedo, Research Coordinator for Humanas Colombia, also participated in the event.

127. On October 28, 2014, the United Nations Special Rapporteur on violence against women and the Chair, Commissioner, and Rapporteur on the Rights of Women, Tracy Robinson, also organized a private meeting with 20 representatives of civil society organizations to discuss their views on priority issues for women's rights in the Americas. In particular, the participants discussed the normative vacuum on violence against women in international human rights law and priorities with respect to international and regional treaties dealing with that subject.

128. In the context of its 153rd regular session, the IACHR received the Special Rapporteur on the situation of human rights defenders, Michel Forst; the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo; the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai; and the Special Rapporteur on racism, Mutuma Ruteere. It also received a delegation from the Office of the United Nations High Commissioner for Refugees (UNHCR), headed by Regional Representative Shelly Pitterman. During the hearing "Human Rights Situation of Refugees and Asylum Seekers in the Americas - 30th Anniversary of the Cartagena Declaration," it heard statements by Chaloki Beyani, United Nations Special Rapporteur on the human rights of internally displaced persons, and Juan Carlos Murillo, the UNHCR regional legal advisor. During the October 30, 2014 hearing on migrant detention and alternative measures in the Americas, it also heard a statement by Juan Carlos Murillo on behalf of the UNHCR.

129. During the session, Commissioner José de Jesús Orozco Henríquez held a meeting with the United Nations Special Rapporteur on the situation of human rights defenders, Michel Forst, in which they reiterated their commitment to continue to strengthen ties of cooperation between the international human rights system and the inter-American system in order to better protect human rights defenders through joint actions. They also expressed concern at the continued killing, threatening and harassment of human rights defenders, the criminalization of the activities of human rights defenders in a number of countries in the region, and the failure of states to take effective measures to protect human rights defenders in situations of grave risk. In addition, they called attention to the existence of reprisals against human rights defenders for reporting abuses to the inter-American and United Nations systems.

130. On October 29, 2014, Commissioner Felipe González, Rapporteur on the Rights of Migrants, held a meeting with Pablo Ceriani Cernadas, a member of the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of their Families, to explore mechanisms for cooperation between the office of the IACHR Rapporteur and the United Nations Committee.

131. From December 8 to 12, the Rapporteur on the Rights of the Child participated in the OAS 21st Pan American Child and Adolescent Congress in Brasilia, Brazil, organized around the theme "Childhood and Adolescence: Building Environments of Peace." In the context of the Pan American congress, the Rapporteur gave a formal presentation on violence in juvenile justice systems in the Americas, in which she discussed the serious forms of violence and rights violations to which adolescents are exposed in the juvenile justice system and urged states to implement effective restorative justice systems and to redouble their prevention efforts.

132. The Rapporteur on the Rights of the Child remains in constant dialogue with the UN Special Representative of the Secretary-General on Violence against Children and is working to develop a joint program of work that includes mutual support for the preparation of thematic reports and the possibility of conducting joint visits. This Rapporteurship also continues to work closely with the Hague Conference legal team to strengthen the standards on international return.

133. The Executive Secretary of the IACHR participated in an experts' meeting organized by the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, which took place from February 24 to 28, 2014, in Geneva. He also attended the Glion Human Rights Dialogue 2014, The Future of the OHCHR and UN Human Rights Pillar: The Next 20 Years, involving the OHCHR's annual planning, which took place on May 13 and 14 in Switzerland. On May 20, 2014, the Executive Secretary spoke on the topic "Inter-American Human Rights System and Indigenous Peoples" at the 13th session of the Permanent Forum on Indigenous Issues, which was held in New York City. He also attended an October 2 meeting convened by

the director for Latin America of the Joint United Nations Programme on HIV/AIDS to follow up on the cooperation agreement signed between the OAS and UNAIDS in January 2014. On October 29, he met with members of the Office of the United Nations High Commissioner for Refugees (UNHCR) to exchange experiences and discuss issues relating to the work of the IACHR. On October 30, the Executive Secretary met with Maina Kiai, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association. On November 3, the Executive Secretary held a working meeting with Gustavo Gallón Giraldo, Independent Expert on the situation of human rights in Haiti. On November 13, Jennifer Welsh, United Nations Special Advisor on the Responsibility to Protect, held a working meeting to exchange work experiences and discuss the importance of taking cognizance of the causes and dynamics of genocide and the “responsibility to protect.”

134. On May 5 to 9, 2014, a lawyer of the Rapporteurship on the Rights of the Child participated in the annual meeting of the Latin American and Caribbean Chapter of the Global Movement for Children (MMI-LAC) in Panama. The purpose of the meeting was to conduct the chapter’s strategic planning for 2014 and the 2015-2020 period. MMI-LAC is composed of UNICEF and the principal international, national, and regional NGOs working to promote and defend the rights of children in the Hemisphere. One of the priorities adopted was strengthening collaborative relationships between the Office of the Special Rapporteur, the United Nations Committee on the Rights of the Child, and the Special Representative of the Secretary-General on Violence against Children (SRSG-VAC). The Rapporteur’s Office also held coordinating meetings with the Committee on the Rights of the Child, the Special Representative, and the Inter-American Children’s Institute (IIN)/OAS.

135. Staff members of the Rapporteurship on the Rights of Migrants participated in the Caribbean regional preparatory meeting the protection of refugees and stateless persons and mixed migration convened by the United Nations High Commissioner for Refugees (UNHCR) on June 25, 2014, in Washington, DC, of the United States. This meeting was held in preparation for the UNHCR-sponsored meeting in the Cayman Islands on September 10 and 11, 2014, organized for the purpose of discussing the protection of refugees and stateless persons and mixed migration movements in the Caribbean region with the goal of contributing to the development of a Caribbean plan of action on refugees, asylum seekers, and stateless persons, as well as a regional declaration emphasizing the Caribbean context to be presented in December 2014 in Brasilia, Brazil, in the context of the 30th anniversary of the Cartagena Declaration on Refugees.

136. On October 1, the Secretariat’s lawyer, focal point to the United Nations system, attended a meeting to exchange ideas with rapporteurs and other special procedures mandate holders for the purpose of enhancing the work of both systems.

137. On October 10 and 11, a lawyer of the Rapporteurship on the Rights of the Child participated in an expert consultation organized by the Special Rapporteur on the question of torture, Juan Méndez, in the context of the preparation of his report on adolescents deprived of their liberty.

138. On October 29, 2014, Secretariat personnel and the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, participated in an event organized by the International Center for Not-for-Profit Law during which IACHR and UN rapporteurships focused on the rights to freedom of peaceful assembly and association were presented. The event provided a space for defenders of human rights in the Americas to share information on trends and other aspects of these rights in their countries and was the occasion for dialogue on challenges for the realization and protection of these rights.

139. On November 3, a lawyer of the Rapporteurship on Freedom of Expression participated in a seminar entitled “Towards an effective framework of protection for the work of journalists and an end to impunity” in Strasbourg, France. The seminar was organized by the Council of Europe, UNESCO, the Centre for Freedom of the Media (CFOM), the University of Sheffield, and the European Lawyers’ Union / Union des Avocats Européens (UAE). It provided a forum for inter-regional dialogue among representatives of the various international and regional human rights systems to examine progress and challenges for the protection of journalists, with the goal of developing a globally consistent framework of protection. On

November 4, lawyer Ona Flores participated in the third United Nations interagency meeting on the safety of journalists and the issue of impunity, in Strasbourg, France. The event was organized by UNESCO.

140. In addition, on November 12 and 13, 2014, personnel of the Rapporteurship participated in a meeting at the offices of the International Organization of La Francophonie to share information on mandates and exchange information on the instruments available for the protection of human rights defenders in various regional protection systems. The United Nations Special Rapporteur on the situation of human rights defenders, the OSCE/ODIHR focal point, and representatives of the African Commission on Human and Peoples' Rights, the Commission for Human Rights of the Council of Europe, the European Union, the International Federation for Human Rights (FIDH), and the World Organisation Against Torture (OMCT) also participated in the "inter-mechanisms" meeting.

141. The Unit on Economic, Social and Cultural Rights presented its work at the third Forum on Business and Human Rights, which was held from December 1 to 30, 2014, in Geneva at the invitation of the United Nations Working Group on business and human rights. The approximately 2,000 representatives of governments, business, civil society, and international organizations in attendance discussed ways of addressing adverse effects on human rights related to business activity.

142. On December 10, 2014, the lawyer who provides support of the Rapporteurship on the Rights of Lesbian, Gay, Bisexual, Trans and Intersex Persons participated in a panel discussion in commemoration of Human Rights Day in the context of a regional meeting convened by the Pan American Health Organization to discuss the causes of disparities in access and use of health services by LGBT people.

143. On December 2, 2014, a lawyer of the Rapporteurship on the Rights of Women participated in the roundtable discussion "Violence against women and sexual and reproductive rights in the Americas: Progress and persistent challenges," which took place in Washington, DC, and was jointly organized by the Inter-American Commission of Women (CIM), the Permanent Observer Mission of France to the OAS, and the Pan American Health Organization (PAHO). The specialist gave a presentation entitled "Sexual and reproductive rights in the Americas: a hemispheric overview." The other participants were Ambassador Jean-Claude Nolla, Permanent Observer of France to the OAS; Carmen Moreno, Executive Secretary of CIM; Marissa Billowitz, Senior Program Officer - Youth, International Planned Parenthood Federation/Western Hemisphere (IPPF/WHR); Diana González Perrett, Expert of Uruguay, Expert Committee of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI); Alessandra Guedes, Regional Advisor on Intra-Family Violence, PAHO/WHO; Paula Ávila-Guillen, Advocacy Advisor for Latin America and the Caribbean, Center for Reproductive Rights; Vlado Mirosevic Verdugo, Deputy, Chamber of Deputies, Chile; Dinys Luciano, Director, Development Connections; and Tazeen Hasan, Legal Specialist, Gender Unit, World Bank.

144. The coordination and publication of joint press releases has also proved an important tool for the promotion and protection of the human rights of the inhabitants of the Americas.

145. On May 6, 2014, the Special Rapporteur, the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Representative on Freedom of the Media of the Organization for Security and Cooperation in Europe (OSCE), and the Special Rapporteur on Freedom of Expression and Access to Information of the African Commission on Human and Peoples' Rights (ACHPR) issued a Joint Declaration on Internationality and the Right to Freedom of Expression.

146. On May 17, 2014, to mark the International Day against Homophobia and Transphobia (IDAHOT), the IACHR issued a joint press release jointly with the following United Nations experts: Frank La Rue, Special Rapporteur for the promotion and protection of the right to freedom of opinion and expression; Maina Kiai, Special Rapporteur on the promotion and protection of the rights to freedom of assembly and of association; Anand Grover, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and Margaret Sekaggya, Special Rapporteur on the situation of human rights defenders. The African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Human Rights Defenders, Reine Alapini-Gansou, and the OSCE Representative on Freedom of the Media, Dunja Mijatović, also participated in the press release.

147. On September 1, 2014, the Office of the Special Rapporteur issued a joint press release on the obligation of states to protect journalists covering armed conflicts, together with the Special Rapporteur on the right to freedom of opinion and expression of the United Nations (UN), David Kaye, the Representative on Freedom of the Media of the Organization for Security and Cooperation in Europe (OSCE), Dunja Mijatović, and the Special Rapporteur on Freedom of Expression and Access to Information of the African Commission on Human and Peoples' Rights (ACHPR), Faith Pansy Tlakula.

148. On the occasion of International Migrants Day, December 18, 2014, Commissioner Felipe González, IACHR Special Rapporteur on the Rights of Migrants; François Crépeau, UN Special Rapporteur on the human rights of migrants; Francisco Carrión Mena, Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; and Maya Sahli Fadel, Special Rapporteur on Refugees, Asylum-Seekers, Migrants and Internally Displaced Persons in Africa of the African Commission on Human and Peoples' Rights issued a joint statement calling on states to establish open, safe, and regular migration channels as a crucial measure for stopping human rights violations against migrants.

Other regional mechanisms and multilateral organizations

149. On March 12, 2014, President and Rapporteur Tracy Robinson participated as a speaker in a World Bank event entitled "The Economic Cost of Homophobia: How LGBT Exclusion Impacts Development."

150. The Executive Secretary attended a meeting of independent experts on the right to nationality in Africa organized by the Pan-African Parliament, which took place from April 9 to 11, 2014, in Johannesburg, Midland, South Africa.

151. On June 18 and 19, 2014, personnel of the IACHR Executive Secretariat associated with the Disability Group participated in an experts' meeting on persons with disabilities and the right to freedom of expression and information convened in London by the organization Article 19. The purpose of the meeting was to encourage consensus on the importance to persons with disabilities of freedom of expression and opinion and access to information for the effective enjoyment of their rights. The event brought together a group of disability experts representing the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Educational, Scientific and Cultural Organization (UNESCO), Harvard University, and civil society organizations from the Americas, Africa, Asia, and Europe.

F. Other activities

Second National Seminar on the Friendly Settlement Mechanism

152. On June 6, 2014, the Second National Seminar on the Friendly Settlement Mechanism was held in Asunción, Paraguay, in the framework of the regular session of the OAS General Assembly. The Inter-American Commission held this seminar in implementation of the commitments assumed in the process of strengthening the inter-American human rights system to promote the use of the friendly settlement mechanism as an alternative to the system's contentious procedure.

153. Participating in this activity were representatives of 25 agencies of the Paraguayan State and a dozen representatives of civil society organizations. The welcoming remarks were made by Commissioner Tracy Robinson, President of the IACHR. Among the special guests attending the seminar were Ambassador Jorge Evia, Permanent Observer of Spain to the OAS; Patrick Zahnd, Legal Advisor, International Committee of the Red Cross; and Liliana Valiña, Advisor to the Office of the High Commissioner on Human Rights in Paraguay.

154. The event began with a presentation of the Executive Secretary of the IACHR on general aspects of the friendly settlement procedure, the evolution of the mechanism, and the Commission's role as facilitator. In addition, the report on the impact of the friendly settlement procedure was presented.

155. The first item on the event program was a presentation on best practices of friendly settlement in Argentina and Mexico. This was followed by a panel discussion on the perspective of the Paraguayan State, in which participated the human rights directors of the Ministry of Foreign Affairs, the Supreme Court of Justice, and the Ministry of Justice and Human Rights. The next item was a panel discussion on the perspective of Paraguayan civil society, with participation by representatives of the Centro por la Justicia y el Derecho Internacional [Center for Justice and International Law] (CEJIL), Tierra Viva, and Servicio Paz y Justicia [Service, Peace, and Justice] (SERPA). Lastly, exchange ensued on identifying challenges faced by the friendly settlement mechanism, lessons learned, and best practices, and participants offered suggestions, resulting in a rich discussion among representatives of State agencies and civil society and the victims and their representatives.

Report on the Impact of the Friendly Settlement Procedure

156. On October 30, 2014, the report Impact of the Friendly Settlement Procedure was presented at the Commission's headquarters. The event included speeches given by members of the IACHR, by the Head of Spain's Permanent Observer Mission to the OAS, by representatives of the Argentine and Mexican States, and by civil society organizations including the Center for Justice and International Law (CEJIL) and the Center for Legal and Social Studies (CELS). The panelists highlighted the paramount importance of the friendly settlement mechanism for the noncontentious resolution of petitions and cases involving human rights violations brought to the attention of the inter-American human rights system. The report seeks to strengthen the friendly settlement mechanism by making information on the results obtained through friendly settlement agreements available to all the inter-American system's users. The Commission hopes that this information will be of use to States and petitioners as a guide to the features and good practices that have arisen within the procedure.

Third National Seminar on Friendly Settlement Mechanisms

157. On September 3 and 4, the Third National Seminar on Friendly Settlement Mechanisms was held in the cities of Santa Cruz and La Paz, Bolivia. It was held for the purpose of promoting the use of the friendly settlement mechanism as an alternative to the contentious procedure in the inter-American human rights system. It had key international figures as presenters (Javier Salgado, Director for International Disputes of the Argentine Ministry of Foreign Affairs), as well as representatives of the state (Héctor Enrique Arce Zaconeta, Attorney General), civil society (Julieta Montaña, Director of the Oficina Jurídica para la Mujer), and international organizations (Denis Racicot, Representative of the Office of the United Nations High Commissioner for Human Rights in Bolivia).

158. This seminar included a presentation on general aspects of the friendly settlement procedure, and on relevant international and national experiences and their implications, from the perspective of both the State and civil society. It concluded with an exchange among the participants, identifying the challenges of the friendly settlement mechanism, lessons learned, and good practices, in an open and diverse forum for dialogue. Those seminars were a platform for the State (in the city of Santa Cruz) and the State and civil society (in the city of La Paz) to share their experience in the negotiation, signing, implementation, and challenges of the friendly settlement agreement in the case of M.Z.

159. With the same objective of promoting the use of the friendly settlement mechanism, on September 5, 2014, a Training Workshop on Friendly Settlements was held, aimed at state agents, in the city of La Paz. This workshop incorporated theoretical and practical procedural elements of the friendly settlement mechanism in light of the normative framework that regulates it, along with technical tools for negotiation and practical application of the information provided with a practical simulation of the activities required for reaching a friendly settlement. The public included officials from the Office of the Attorney General, Ministry of Justice, Ministry of Interior, Ministry of Economy and Finance, Ministry of Foreign Affairs, National Directorate for Human Rights of the High Command of the Armed Forces; National Directorate for Human Rights of the Bolivian Police, Office of the Departmental Prosecutor of La Paz, and the Office of the UN High Commissioner for Human Rights.

Other activities regarding the Friendly Settlement Mechanism

160. From May 4 to 8, 2014, the Friendly Settlement Group (FSG) led by the Executive Secretary visited Argentina to prepare the diagnostic assessment requested by the State and agreed to by the petitioners in Case No. 12.094, Aboriginal Community of Lhaka Honhat, on the possibility of reaching a settlement in implementation of the recommendations made in IACHR Report No. 2/12. Among the activities held during the visit, the delegation held a meeting in the city of Salta with national and provincial authorities and the victims and their representatives at which the State presented a draft provincial decree by which is transferred to the indigenous communities community ownership of 400,000 hectares, in implementation of the IACHR's recommendations, and where it was decided to allow the petitioners time to make observations on the draft provincial decree.

161. On May 8, in the city of Buenos Aires, meetings were held to identify the status of negotiations among the parties in two petitions. Meetings were also held to compile information on implementation of the agreements signed by the parties in two other cases.

162. In 2014, two emblematic friendly settlement agreements were signed as a result of negotiations accompanied by the Friendly Settlement Group: the agreement signed August 5, 2014, by the Argentine State and the petitioners in Case 12,710 (Marcos Gilberto Chaves and Sandra Beatriz Chaves) and the agreement signed on September 5, 2014 by the Mexican State and the petitioners in P-1171-09 (Ananías Laparra Martínez et al.). In the first agreement, the parties agreed, among other measures, on the benefit of commutation of the sentence of Ms. Sandra Beatriz Chaves and Mr. Marcos Gilberto Chaves, which resulted in their immediate release, with no restrictions of any kind. In carrying out the second friendly settlement agreement, the State decreed the immediate release of Mr. Laparra and held a public ceremony recognizing responsibility that received extensive media coverage, recognizing his innocence and making a public apology.

163. On September 2, 2014, in the city of Santa Cruz, Bolivia, working meetings were held, presided over by Commissioner Paulo Vannuchi, with the aim of going forward in the negotiations towards a friendly settlement between the parties in several cases.

164. On November 25, 2014, during the visit of Commissioner Rose Marie Belle Antoine to Chile, five working meetings on individual cases were held: to follow up on the State's compliance with the recommendations made by the IACHR in one case, and to provide a forum for continuing negotiations toward friendly settlement agreements between the State and the petitioners in the other cases. During the visit, the Commission was told that the government was working on draft legislation that would facilitate the Chilean State's use of the friendly settlement procedure in its dealings with the inter-American human rights system. In its press release, the IACHR welcomed the State's initiative which, if adopted, would constitute a good practice in the hemisphere, and it offered its technical support for the continuation of efforts in that endeavor.