

# Annual report 2020

afro-descendants

children

economic, social, cultural  
and environmental rights

elderly people

freedom of expression

human right defenders

indigenous people

LGBTI

migrants

persons deprived of liberty

persons with disabilities

women

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## INTRODUCTION

1. The Inter-American Commission on Human Rights (IACHR), in compliance with its mandates and the provisions of Article 59 of its Rules of Procedure, presents its Annual Report, which compiles the wealth of work this key body of the Organization of American States (OAS) accomplished, as well as the most significant results it attained, from January 1 to December 31, 2020, a year marked by the impacts of the COVID-19 pandemic in the region.

2. Thanks to the Member States' decision to strengthen the capacities of the main bodies of the inter-American human rights system by increasing their budget, and thanks to the commitment and dedication of its Executive Secretariat staff, the IACHR has successfully consolidated and repositioned itself in the region through achievements and results that are unparalleled in its history, even in the context of the pandemic.

3. On March 22, 2017, following an extensive participatory process, the IACHR approved its [Strategic Plan 2017-2021](#). The plan serves as the Inter-American Commission on Human Rights' primary tool for institutional management, establishing priorities to successfully fulfill its mission and tackle current and future challenges to address and protect human rights in the Americas, through the Commission's three pillars: the system of petitions, cases, friendly settlements, and precautionary measures; the monitoring of the human rights situation in the Americas; and cooperation or technical assistance to States regarding human rights and their promotion.

4. As reported in detail in this 2020 Annual Report and in the [Annual Progress Report on Implementation of the IACHR Strategic Plan 2017-2021 \(2020\)](#), during the year the IACHR made significant progress in fulfilling the goals and objectives laid out in the Strategic Plan. Notable among these achievements is the progress made in overcoming the procedural backlog and developing new standards in the case system; expanding the scope of monitoring; increasing technical cooperation and promotional activities; and strengthening IACHR mechanisms for following up on compliance with recommendations issued through various instruments. These efforts aim to address the historical demands of the States of the region for a better balance among the thematic rapporteurships and more coordination among the IACHR's three mandates.

5. Tasked with reducing the procedural backlog and offering users of the inter-American human rights system a faster and more efficient response, in 2020 the IACHR saw a historic rise in its productivity, even in the context of the pandemic and [remote work](#). Some of the achievements detailed in this Annual Report include: the approval of 290 admissibility reports and 67 merits reports, representing an increase of 190% and 106%, respectively, from 2019; more vigorous use and monitoring of friendly settlements; timely decisions on a record number of requests for precautionary measures; and a streamlined initial review of petitions, as well as more expeditious processing of cases and petitions. In 2020, 10 new friendly settlement agreements were signed, 25 agreements were formally approved, and progress was verified in the implementation of 148 reparation measures. In addition, the Commission received 1,170 requests for precautionary measures, which were evaluated in their entirety. Of these, 49 were granted, and another 9 existing measures were expanded. The Commission also approved [Resolution 2/20](#), "Strengthening of the Monitoring of Precautionary Measures in Force," and [Resolution 3/20](#), "Differentiated Actions to Address the Procedural Backlog in Friendly Settlement Agreement Procedures." Moreover, through this work in the petition and

case system, the IACHR has deepened and consolidated its case law, reinforcing predictability, defining clearer human rights standards, and achieving reparation for victims of human rights violations.

6. Similarly, the Commission strengthened its timely and important monitoring of the human rights situation in the region through the development and enhancement of standards, by producing and approving five thematic reports and one country report, on the human rights situation in Cuba; issuing 143 press releases; posting timely statements on social media regarding important human rights situations in the region; and sending 120 requests for information to States regarding human rights situations.

7. The Commission also made progress in consolidating a more timely, diversified, and expanded monitoring approach, with on-site and working visits and the establishment and tracking of Rapid and Integrated Response Coordination Units (SACROIs) to identify risk factors for human rights violations and/or design strategies for immediate and ongoing response based on the Commission's mandates. Thus, the IACHR strengthened its contribution to more effective and accessible inter-American justice by providing a timely, integrated response to specific situations in three countries through the establishment of SACROIs for Colombia, the United States, and Peru, as well as the establishment of the first thematic SACROI, to respond to the overall situation represented by the COVID-19 pandemic. Also notable among its responses was the creation of the [Interdisciplinary Group of Independent Experts \(GIEI\) to assist in the investigations into acts of violence and human rights violations that occurred in Bolivia between September 1 and December 31, 2019](#), and the [reactivation of the GIEI for the Ayotzinapa matter in Mexico](#).

8. Likewise, the IACHR bolstered its Special Mechanisms for Monitoring Recommendations, with the ongoing work of the Technical Support Group (GAT) on the Ayotzinapa Matter set up in Mexico City, in the new stage of the Special Monitoring Mechanism (MESA); the Special Monitoring Mechanism for Nicaragua (MESENI), operating from IACHR headquarters; the Special Monitoring Mechanism for Venezuela (MESEVE); and the Special Technical Advisory Board for compliance with human rights recommendations in Honduras (MESAT).

9. In 2020, the IACHR maintained its public presence and relevance in the region, carrying out two historic on-site visits, to Chile and to the Colombia-Venezuela border, and holding its 175<sup>th</sup> Period of Sessions in Haiti. In the context of the pandemic, the IACHR held three periods of sessions virtually, one in-person working visit to Peru, and its first-ever virtual visit, to Mexico, to examine the issue of people in a situation of human mobility. The Commission also continued to build closer ties with the Caribbean countries; this included holding a period of sessions in the region, three meetings with the group of States from the region in the framework of IACHR periods of sessions, several bilateral meetings with Caribbean States, and a virtual seminar in the context of the Rapid and Integrated Response Coordination Unit on the COVID-19 Pandemic (SACROI COVID-19).

10. At the same time, the IACHR addressed the serious situation of the pandemic in the region in two resolutions it published: [Resolution 1/20](#), "Pandemic and Human Rights in the Americas," which calls on the OAS Member States to immediately adopt a cross-cutting human rights approach in all government strategies, policies, or measures to deal with the COVID-19 pandemic and its consequences, and offers 85 recommendations; and [Resolution 4/20](#), "Human Rights of Persons with COVID-19," which includes a series of guidelines for States to comply with their obligations to respect and guarantee the human rights of persons with COVID-19, from the standpoint of the indivisibility of human rights. The Commission also

published nearly 50 press releases related to the human rights situation and COVID-19, focusing on different countries and groups at special risk, both from a country-specific standpoint and by issue, including recommendations. It also published two practical guides, one on [standards to ensure respect for the grieving, funeral rites, and memorials of those who died](#) and the other on [access to the right to education for children and adolescents during the pandemic](#).

11. In 2020, the Commission continued to strengthen its promotion and training efforts geared toward public officials of Member States, as well as civil society organizations, students, and other social sectors. During this period, the IACHR held 21 training events and 136 activities to promote the inter-American human rights system, thereby building awareness about the system and its mechanisms and standards, as well as about priority issues and rights. Notably, the Commission held 31 virtual seminars in the context of the Rapid and Integrated Response Coordination Unit on the COVID-19 Pandemic, reaching more than 15,000 participants.

12. With regard to technical cooperation, the Commission has continued to strengthen its collaboration with Central America through the Project on Democracy and Human Rights in the Northern Triangle, particularly concerning standards on migration and forced displacement, as well as knowledge about the inter-American system. The IACHR also formalized its partnership with different institutions through the signing of five new inter-institutional cooperation agreements and the accession of a national human rights institute (the Office of the Ombudsperson of Peru) to the IACHR Declaration of Commitment on Technical Cooperation. Finally, the Commission published the [Compendium on Labor and Trade Union Rights](#) and completed another compendium on States' obligation to adapt their domestic laws to inter-American human rights standards.

13. The IACHR continued to strengthen its presence before the political bodies of the OAS, delivering eight presentations during the year in a variety of forums, and had the participation of States and civil society in all the activities carried out, including public hearings, consultations, training workshops, and bilateral and multilateral meetings, among others. The participation of States and civil society in the region is essential for the IACHR to be able to fully comply with its mandate to promote and protect human rights. The IACHR values and thanks the States and civil society organizations for their active collaboration. Most of the States of the region and many civil society organizations participated in the 65 hearings held during three periods of sessions in 2020, which focused both on regional issues and on human rights situations in 17 countries in the Americas. All the periods of sessions included open meetings with inter-American civil society (and the host country, in the case of the 175<sup>th</sup> Period of Sessions in Haiti). The IACHR also held periodic meetings with States during its sessions. In addition, meetings were held in 2020 to review portfolios of petitions, cases, precautionary measures, friendly settlements, and follow-up on recommendations with regard to eight countries. The Commission also held a consultation with experts for the preparation of a Practical Guide with guidelines and recommendations for developing plans to mitigate risks for human rights defenders in the region.

14. With the aim of achieving greater coordination between regional and universal human rights protection systems, the Commission promoted initiatives coordinated with the Inter-American Court of Human Rights and with other international, regional, and subregional human rights organizations and mechanisms. In 2020, the IACHR participated in the High-Level Segment of the United Nations Human Rights Council sessions in Geneva. It also provided input to the Universal Periodic Review of Paraguay; welcomed representatives from the Office of the United Nations High Commissioner for Human Rights (OHCHR), special rapporteurs, and other United Nations representatives to participate in hearings during its 175<sup>th</sup>, 177<sup>th</sup>, and 178<sup>th</sup> sessions; published 10 joint press releases with the OHCHR or other UN special mechanisms;

and carried out joint activities with various agencies within the United Nations human rights system. The Commission also strengthened institutional cooperation with the Inter-American Court of Human Rights, by participating together in virtual seminars. It also completed the second edition of the International Course on Public Policy on Human Rights, geared toward 100 public officials in the Americas, held in conjunction with the Mercosur Institute of Public Policies on Human Rights (IPPDH).

15. The IACHR continued to step up its efforts to increase transparency, accountability, and access to information in 2020. Along these lines, it published two press releases on performance results, created new information sections on its website, and presented the annual reports of its special rapporteurships. In addition, through the agreement signed with Colombia's Truth, Coexistence, and Non-Recurrence Commission, it facilitated access to historical information through the Columbus Memorial Library. It also responded to 35 specific requests related to access to information.

16. The Commission also notes that it launched the Inter-American System to Monitor Recommendations (known as the Inter-American SIMORE). This is an online tool that systematically compiles and categorizes more than 4,700 recommendations issued in published merits reports, friendly settlement agreements, country reports, reports based on Chapter IV.B of the IACHR Annual Report, thematic reports, and resolutions of the Inter-American Commission on Human Rights.

17. In 2020, the Commission also carried out seven campaigns to disseminate standards and continued to significantly expand the number of followers on IACHR social media platforms.

18. The Commission continues to strive to make the IACHR more transparent in its processes, more predictable in its objectives and goals, and results-oriented in its planning and management. The Commission will continue to foster a management approach that embraces dialogue and a shared willingness to solve problems, keeping its responses and commitment focused on the best interests of the victims, their families, and citizens.

19. The IACHR thanks inter-American civil society human rights organizations, OAS Member and Observer States, international and regional agencies, OAS Secretary General Luis Almagro and his team, as well as the team of the IACHR Executive Secretariat for all the support they provided to ensure that the unprecedented accomplishments presented in this Annual Report could be attained. The Commission thanks the States for strengthening the IACHR by increasing its resources from the Regular Fund. It also thanks the member and observer countries and donors whose voluntary contributions have been critical to achieving the scale of the outcomes presented in this report: Brazil, Canada, Chile, Costa Rica, the Dominican Republic, Mexico, Panama, Peru, and the United States; the European Commission; France, Ireland, Norway, the Netherlands, Spain, and Switzerland; and the Arcus Foundation, the Center for Economic and Social Rights (CESR), the Ford Foundation, Google, the Justice Studies Center of the Americas (JSCA), the Open Society Foundation, the Pan American Development Foundation (PADF), OXFAM, and the UN Refugee Agency (UNHCR).

20. The IACHR dedicates its work to the memory of the victims and acknowledges the leading role of civil society organizations and social movements in building societies that are more just and more respectful of human rights.

## A. Progress Achieved

21. The Commission, in compliance with Article 59 of its Rules of Procedure, provides in [Chapter IV.A](#) of this Annual Report a descriptive overview of the human rights situation by country, highlighting the main trends, problems, challenges, progress, and good practices in civil and political rights as well as economic, social, and cultural rights.

22. In 2020, the entire region and the world felt the impact of the outbreak and spread of the COVID-19 pandemic caused by the SARS-CoV-2 virus and the steps that States took to contain it. Among other mitigation measures, States established mandatory quarantines, curfews, the closure of workplaces and economic activity, suspension of school classes, and shutdowns of land, sea, and air borders. In some cases, the measures had adverse consequences for the protection of human rights, especially for historically excluded groups and people in a particularly vulnerable situation, such as women, LGBTI persons, people of African descent and indigenous people, children and adolescents, and persons with disabilities, among others. There were also actions that had a discriminatory impact on migrants, refugees, and displaced or stateless persons, and worsening conditions for persons deprived of liberty in the region, as conditions such as overcrowding and the lack of appropriate hygiene and health measures exacerbated the spread of the pandemic. These and other trends the Commission has observed regarding the human rights situation in the region are identified and laid out in Chapter IV.A of this Annual Report.

23. In spite of these situations, following are some of the human rights advances observed by the IACHR in OAS Member States in 2020, measures that aim to promote and protect people's human rights in accordance with international obligations incurred by the States and contained in the American Declaration, the American Convention, and other relevant inter-American instruments. The measures observed are grouped into three categories. The first has to do with cross-cutting issues that have a multidimensional impact on the guarantee of protection of human rights. Given the effects of the COVID-19 situation in the Americas, one common thread that runs through this group are the measures that States have adopted to contain the spread of the pandemic. This group also looks at actions the IACHR has identified as priorities to increase the protection of human rights, such as the strengthening of human rights institutions; democratic participation; judicial independence and access to justice; citizen security and prevention of violence against vulnerable populations; and gender equality and social diversity. The second category includes measures taken to protect priority and highly vulnerable populations. The third includes actions taken to strengthen historical memory, truth, and justice; freedom of expression and thought; and protection of economic, social, cultural, and environmental rights. The following information has been taken from the annual monitoring of the human rights situation laid out in Chapter IV of this report.

24. In terms of the COVID-19 pandemic situation, the Commission takes note of the measures adopted by States to contain the spread of the virus. In most countries, the first cases were reported toward the end of the first quarter. As of mid-March 2020, most of the countries had declared a health- or disaster-related state of emergency, prompting closures of schools and workplaces, total or partial shutdowns of borders, and mandatory quarantines throughout the territory or in certain jurisdictions. In some cases, countries established strict curfews to restrict mobility, or put other targeted restrictive measures in place. The IACHR values all the measures that States enacted in adherence to the World Health Organization's recommendations in this area and in accordance with a human rights-based approach. It also appreciates the efforts made to find alternatives to ensure access to education, to health and social protection systems, and to justice in a way that was inclusive and protective of the rights of minorities and vulnerable

populations, and the efforts to ensure democratic participation and freedom of expression in the context of the pandemic. Thus, in 2020, the IACHR and its special rapporteurships closely monitored policies related to connectivity and digital literacy. In this regard, the pandemic laid bare the serious limitations and marked differences that exist in the region in terms of Internet access and, consequently, the exercise of freedom of expression and of fundamental rights such as the right to education, to health, to work, and to culture. The IACHR and its Office of the Rapporteur for Freedom of Expression recognized positive steps that were taken by various governments and regulators in the Americas to ensure access to and continuity of Internet and telecommunications services during the global health crisis. From what has been observed in the region, these types of temporary measures need to be accompanied by sound, well-thought-out, and long-term plans and public policies that place special emphasis on groups in vulnerable situations, such as indigenous peoples, people of African descent, women, children and adolescents, older persons, and others.

25. Among some of the measures adopted, the Commission takes note of Canada's establishment of a Cabinet Committee to respond to the COVID-19 national emergency, to plan, coordinate, track, and control response operations among all levels of government; it is made up of members of the Pan-Canadian Public Health Network Council and the Council of Chief Medical Officers of Health. The Commission also welcomes Colombia's launch of the "2020-2022 National Action Plan on Business and Human Rights," which places a priority on reactivating the economy after the crisis caused by the pandemic, and the designation of the Office of the Senior Adviser for Human Rights as the entity responsible for monitoring the measures adopted to contain the spread of the pandemic and its effects. Chile adopted the Coronavirus Action Plan, which establishes quarantine measures and sanitary customs checkpoints and barriers in specific areas of the country to control the spread of the virus and highlights support strategies such as the "COVID-19 bonus" and the "Emergency Family Income (IFE)." With respect to Dominica, the Commission takes note of the organized government response led by the Ministry of Health, Wellness and New Health Investment, as well as the implementation of a financial assistance program for people who are unemployed and have dependents. El Salvador approved the Special Law on Recognition of Health Professionals and Health Workers in Light of the COVID-19 Pandemic and adopted Legislative Decree No. 641 on Employment Protection, which establishes exceptional, temporary measures to ensure employment stability in the private sector. In the United States, the Commission takes note of the approval by Congress of the Coronavirus Preparedness and Response Supplemental Appropriations Act, the Families First Coronavirus Response Act, and the Coronavirus Aid, Relief, and Economic Security Act. The Commission notes that Guatemala created the Employment Protection Fund via Decree 34-2020 adopted by the Congress of the Republic as part of the General COVID-19 Emergency Response Plan. Through this plan, the government sought to provide workers with financial assistance to reduce the social and economic impacts of pandemic containment measures. With respect to Honduras, the IACHR takes note of the National Strategy for Humanitarian Assistance focusing on sectors related to food security, water, sanitation, and hygiene, which provided support to 91,000 coffee producers and 140,000 farmers. The Commission notes that Jamaica created the COVID-19 Economic Recovery Task Force and implemented the CARE Programme to provide social and economic assistance to persons in a vulnerable situation and to small businesses. In the case of Saint Vincent and the Grenadines, the Commission takes note of the establishment of the National Emergency Committee/Coronavirus Task Force and, specifically, the adoption of pandemic prevention and containment measures by the Health Services Subcommittee. Notable in Trinidad and Tobago was the creation of a Cabinet-approved inter-ministerial task force to ensure a collaborative approach for managing the COVID-19 pandemic, as well as the establishment of another post-COVID task force.

26. With regard to steps taken to strengthen human rights institutions, the IACHR welcomes the ratification by the States of Ecuador and Mexico of the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance. Likewise, the Commission recognizes the progress made with the State of Mexico's acceptance of the jurisdiction of the UN Committee on Enforced Disappearances and its ratification of the Inter-American Convention against All Forms of Discrimination and Intolerance. The IACHR also recognizes the existence and the work of Ombudsperson's Offices and national human rights commissions in different States in the region. In addition, the IACHR welcomes the recent ratification of agreements by States, especially in the case of Belize, Jamaica, and Saint Vincent and the Grenadines, which ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, also known as the Escazú Agreement. The IACHR also takes note of the Dominican Republic's creation of the Cabinet on Children and Adolescents, an institutional coordination mechanism coordinated by the president of the National Council on Children and Adolescents (CONANI), and the signing of an agreement by the Administrative Ministry of the Presidency and the United Nations Development Programme to strengthen the government institution's transparency, institutional framework, and operations. Additionally, in the case of El Salvador, the IACHR takes note of the State's creation of the National Council for the Inclusion of Persons with Disabilities as the governing body over the National Policy for the Inclusion of Persons with Disabilities and over all measures and actions geared toward the fulfillment of their rights. In addition, the Commission applauds Dominica's intention to establish a national human rights institution in line with the Paris Principles. Likewise, the IACHR welcomes the State of Saint Lucia's ratification of the United Nations Convention on the Rights of Persons with Disabilities and the establishment of a committee to implement the Convention and to develop public policies to ensure access to reading for persons with visual disabilities.

27. With regard to progress toward strengthening institutions and democratic participation, the Commission commends the holding of peaceful general and municipal elections in several States in the region, which took place in the context of the COVID-19 pandemic, including in Belize, Bolivia, Costa Rica, the Dominican Republic, Saint Vincent and the Grenadines, Suriname, and the United States. The Commission also noted that after two years in which the post was vacant, the Governor-General of Grenada was able to appoint an opposition leader, the only opposition member in the country's House of Representatives. The IACHR also observes that the national plebiscite held in Chile on October 25, 2020, formalized the beginning of the constituent assembly process to reform the 1980 Constitution currently in effect. The IACHR also takes note of information provided by Panama indicating that the executive branch and the United Nations Development Programme (UNDP) signed a memorandum of understanding regarding the "New Dialogue Process," which is expected to conclude with a new proposal on constitutional reforms, through a participatory, transparent, and inclusive process of dialogue. Panama also reported on the approval of Law 153 of May 8, 2020, which amends the 2006 Law on Public Contracting, reducing the discretion of public officials and strengthening the transparency of the public procurement process. The IACHR also noted Paraguay's launch of the National Integrity, Transparency, and Anti-Corruption Plan, which aims to systematize actions by the various institutions in the three branches of government, in order to promote transparency and integrity and fight corruption.

28. Access to timely, transparent, effective, impartial, and non-selective justice continues to be one of the most important pending challenges in the Americas. On this subject, the IACHR highlights efforts by the Bahamas to manage delays in the resolution of existing court cases in the country by allowing some hearings to be held in person and others remotely, even though the pandemic situation had the effect of reducing that institution's activities. In Colombia, the Commission takes note of progress in transitional justice with the approval by the Congress

of the Republic of a 10-year extension of Law 1.448, or the Victims Act. With regard to Costa Rica, the IACHR notes the advances and good practices adopted by the State, such as the development and approval of the Regulatory Rules on the Prevention, Identification, and Proper Handling of Conflicts of Interest in the Judiciary; efforts to develop an Anti-Corruption Policy; awareness campaigns on the importance of judicial independence; and academic forums to highlight the judicial response to the COVID-19 pandemic, among other actions. In Trinidad and Tobago, the IACHR observes the progress made by the State in reforming the judicial system and dealing with the backlog of criminal cases.

29. Citizen security policies have been one of the cross-cutting aspects that the IACHR has followed. Along these lines, the IACHR notes that in 2020, a number of countries in the region saw substantial declines in incidents of violence and criminality. The Commission observes that in the case of Antigua and Barbuda, the Police Commissioner reported a 42.5% reduction in violent crime since the end of 2019. This was also the case in the Bahamas, which reportedly saw a 3% decline in the crime rate during the first five months of 2020 compared with the same period in 2019. In the case of Barbados, the IACHR also points to a 50% reduction in the number of homicides in 2020 compared with 2019, and takes note of police efforts to get rid of illegal firearms, even though the number of these weapons remains high. In Belize, the Commission also notes that the number of crimes went down in some districts in the country. During the first 10 months of 2020, the homicide rate declined by 25% over the same period in 2019, according to the Belize Crime Observatory. In the case of El Salvador, the IACHR also observes that homicide rates dropped significantly in 2020, by 45%, compared with 2019, according to figures from the National Civil Police. Guatemala, for its part, noted that its homicide rate declined in 2020 as a result of citizen security strategies implemented throughout the country, under the coordination of the Interior Ministry and the implementation of the National Civil Police. According to the information the Commission received, as of July 31, 2020, the homicide rate was 16.6 per 100,000 inhabitants, a 28.7% decline from 2019, when the figure was 23.3. With respect to Honduras, the State reported that the incidence of violence had dropped by 60% and that, according to data provided by the Online Police Statistics System (SEPOL), there were 61 municipalities with no homicides. In this case, the State also indicated that it had carried out technical professional training and human rights training for police officers, in accordance with the Plan for Strengthening the National Police. In the case of Saint Kitts and Nevis, the IACHR takes note of the Prime Minister's report to the National Assembly, in which he indicated that between January 1 and October 13, 2020, there had been a 27% decline in the number of crimes compared with the same period in 2019.

30. With regard to the second category, which includes steps taken to protect priority and highly vulnerable populations, the IACHR points to measures that were adopted to ensure the universal, indivisible, and interdependent nature of human rights, based on the principles of equality and non-discrimination, and to try to mitigate any actions that could exacerbate human rights violations against various individuals, groups, and communities in the hemisphere. In Chile, the Commission welcomes the approval of the Reserved Seats Bill, which would amend the Constitution to reserve seats for representatives of indigenous peoples in the Constitutional Convention in charge of writing a new Constitution. The IACHR notes that the State of Costa Rica has approved a constitutional amendment recognizing access to drinking water as a basic and inalienable human right. The Commission also welcomes the implementation of certain programs and judicial mechanisms adopted by some States in the region to protect the rights of indigenous peoples. Along these lines, the IACHR takes note of the information provided by the State of Guatemala on initiatives to establish rules on prior consultation and to provide training to officials regarding Convention 169 of the International Labour Organization. The IACHR underscores the importance of consulting indigenous peoples on these initiatives and recognizing their own proposals and initiatives for the implementation of these rights. The

Commission also values the constitutional reform process underway in Mexico to recognize the right to consultation and adopt a general law on the rights of indigenous peoples, and hopes that the legislative proceedings related to this process will be approved as soon as possible. In the case of Paraguay, meanwhile, the IACHR notes that measures adopted to provide health and food support in response to the pandemic are designed to assist 107 indigenous communities, 128 rural communities, and 295 villages.

31. With respect to actions geared toward strengthening gender equality, diversity, and interculturalism, measures some States took to ensure gender equality in the context of the electoral process stand out. The Commission notes that in 2020, Argentina created the Gender and Diversity Area and the Program on Sexual Diversity, Mainstreaming, and Dissemination as part of the “Monitoring and Evaluation Program on the Sustainable Development Goals, Agenda 2030.” Likewise, the “National Cabinet for Mainstreaming Gender Policies” was created within the executive branch; it is responsible for developing consensus around actions to incorporate a gender perspective into all policies promoted by the government. In that context, the IACHR welcomes the beginning of an ongoing, mandatory training program on gender violence for everyone who serves in any of the three branches of government. The IACHR also welcomes the approval of the 2020-2022 National Action Plan against Gender-Based Violence, which aims for an intersectional, comprehensive approach to public policies, particularly those focusing on populations in vulnerable situations, as well as the Senate’s approval of the Law on Access to the Voluntary Interruption of Pregnancy and Post-Abortion Care, which seeks to reduce morbidity and mortality among women and persons with other gender identities who are able to bear children. The Commission also takes a positive view of the recommendations for provincial and municipal governments pertaining to gender and diversity policies in the context of the COVID-19 health emergency, issued by the Ministry of Women, Genders, and Diversity. In Barbados, the Commission notes that women’s shelters remained open to accommodate women experiencing situations of domestic violence. In the case of Bolivia, the Commission commends actions undertaken by public institutions, including the executive branch and the Ombudsperson’s Office, to raise awareness of and address the problem of violence against women and girls. In that regard, the IACHR highlights the declaration of the “Year of the Fight against Femicide and Infanticide, given a surge in reported cases and the judicial system’s failures to stop all types of violence in the country,” in the context of raising awareness about the National Prevention Strategy to prevent violence against children, adolescents, and women. With respect to Chile, the Commission welcomes the approval and entry into force of [Law No. 21.212](#) of 2020, better known as “Gabriela’s Law,” designed to punish violence against women through the use of specifically defined criminal charges that expand the concept of femicide. The IACHR also welcomes the creation of programs that take a preventive approach, such as the adoption of a direct line for women in domestic violence situations and the use of informational platforms, such as the radio show “*El Policía en su Casa*” in Costa Rica, and the creation of a project called the Comprehensive Approach to Violence against Women: Construction of New Forms of Masculinity in Men Prosecuted for Violence against Women, as well as the implementation of a special course on the Law on the Punishment of Violence against Women and Sex Crimes. In Honduras, the IACHR welcomes the coordination being done with the National 911 System to ensure that telephone help lines and services for women victims of violence would continue to operate during the pandemic, as well as the renewed availability of justice of the peace courts to be on call 24 hours a day for reports of domestic violence. The IACHR also applauded the creation of programs to address and channel complaints in cases involving family violence and sexual violence against women and girls. For its part, Mexico reported that it had adopted various measures to ensure gender equality with the creation of the National Registry of Persons Sanctioned for Gender-Based Political Violence against Women, in the context of the electoral process to be held in 2021. Mexico also reported that there are only 10 states that have yet to incorporate the principle of horizontal gender parity in their local laws. In addition, Mexico informed the Commission

regarding coordination with the Institute of Women on a 911 number to receive complaints, and regarding the existence of a resource guide for cases of violence against women and girls, with a catalog of available services. Paraguay implemented a free call line and an app to receive complaints about gender-related violence and trafficking, and implemented Whatsapp lines to provide an immediate, specialized response. The Dominican Republic, meanwhile, reported that 50% of the candidates for Vice President of the country in the 2020 electoral process were women. The Commission further notes that Trinidad and Tobago amended its Domestic Violence Act to expand certain definitions and expand the category of persons who are able to apply for protection orders.

32. Regarding the rights of lesbian, gay, bisexual, trans, gender-diverse, and intersex persons (LGBTI), the IACHR commends the adoption of resolutions and public policies containing measures to guarantee the rights and safety of LGBTI persons, as well as to prevent acts of violence and discrimination against them. Along these lines, the IACHR welcomes the fact that recognition of marriage equality entered into force in Costa Rica (following an 18-month moratorium established in a Supreme Court decision), in accordance with the standards of equality and non-discrimination laid out by the Inter-American Court of Human Rights in its Advisory Opinion 24/17. In the same vein, the Commission commends Chile for the entry into force of Law 21.120, which recognizes and protects the right to gender identity. In Bolivia, as well, the Commission welcomes the recognition, by means of inscription in the Civic Service Registry (SERECI), of the free union of two gay men, David Aruqípiá and Guido Montaña, in compliance with a judgment issued by the Second Constitutional Chamber of the Departmental Court of La Paz. The Commission also welcomes the decision of the United States Supreme Court in the combined cases known as “*Bostock v. Clayton County*,” which finds that an employer who fires someone for being gay or transgender violates the prohibition of sex discrimination in employment contained in Title VII of the Civil Rights Act of 1964. The Commission likewise commends the presidential decision in Haiti to include sexual orientation, real or perceived, as a category protected from discrimination. The IACHR also hails the adoption in Mexico of laws recognizing the right to gender identity in 12 states. The Commission also welcomes the prohibition of procedures that attempt to change, alter, or suppress people’s gender identity/expression and sexual orientation (also called “conversion therapies”) and the classification of such procedures as a crime in Mexico City. Likewise, with respect to Uruguay, the Commission commends the decision to overturn the ban on blood donations by men who have had sex with other men, and welcomes the creation of the Special Unit on Domestic Violence and Gender, as well as the presentation by the Montevideo Mayor’s Office of workplace protocols for supporting trans persons’ transition. In the case of Venezuela, the IACHR notes the creation of the Special National Delegate’s Office of the Ombudsperson for the Protection of Sexually Diverse Persons, assigned to the Directorate of Special Matters in the Ombudsperson’s Office. This new office aims to combat the culture of discrimination, exclusion, and violence against LGBTI persons and promote academic studies and training of public officials on the subject of diversity.

33. With regard to measures adopted to protect the human rights of people of African descent and combat racial discrimination, the IACHR commends the creation, in Argentina, of the Commission for Historical Recognition of the Afro-Argentine Community, by the National Institute against Discrimination, Xenophobia, and Racism (INADI). The Commission also welcomes the document issued by Costa Rica’s Ministry of Health on recommendations to prevent COVID-19 in people of African descent, which contains specific guidelines on epidemiological treatment of the Afro-Costa Rican population, including a differentiated ethnic/racial approach. The IACHR also welcomes Costa Rica’s promotion of its agenda to protect the rights of people of African descent and combat climate change, as well as the talks established with the United Nations Food and Agriculture Organization (FAO) to address all forms of racism and challenges for the protection of environments. The IACHR likewise recognizes Mexico for including the

ethnic/racial self-identification option of Afrodescendent/Afro-Mexican in the country's most recent census, in 2020. In addition, in the case of Peru, the Inter-American Commission welcomes the approval of Law No. 31049 of 2020 by the Congress of the Republic, which declares July 25 of every year to be National Afro-Peruvian Women's Day. With regard to Uruguay, the IACHR commends the creation of the Human Rights, Equality, and Non-Discrimination Observatory, an initiative of the National Directorate for Sociocultural Promotion (DNPSC) of the Ministry of Social Development (MIDES), which aims to create an institutional framework for systematizing, analyzing, and generating information on the inequalities faced by Afrodescendent, migrant, and LGBTI persons because of discrimination. The Commission also takes note of the publication, by the People's Planning Ministry of Venezuela, of the "Program Agenda for Persons of African Descent, Plan for the Nation 2025," which recognizes Afro-Venezuelans' own forms of organization and their traditions, customs, cultural expressions, historical heritage, and traditional medicine.

34. With respect to measures to protect the rights of people in a situation of human mobility, including migrants, refugees seeking international protection, displaced persons, stateless persons, and victims of human trafficking, the IACHR takes note of the decision by the Supreme Court of the Bahamas that allows children born outside of marriage to Bahamian men and foreign women to acquire Bahamian nationality at birth, instead of having to wait until they turn 18 to request citizenship in that country. In Brazil, the IACHR notes that as of August 2020, a total of 46,000 Venezuelans had reportedly been recognized as refugees under a simplified asylum procedure adopted in 2019 which applies the expanded definition of refugees contained in the Cartagena Declaration, according to the United Nations High Commissioner for Refugees (UNHCR). The IACHR also takes note of the decision by the Federal Court of Canada which found the "Safe Third Country Agreement" signed by the governments of Canada and the United States to be unconstitutional, deeming that because of the risk of deprivation of liberty, the United States was no longer a safe country for refugees sent there from Canada. The Commission also takes note of information presented by Chile indicating that it had implemented actions in the context of the pandemic to ensure access to health for migrants and also extended the validity of foreigners' identity documents for another year. Chile also indicated that while the pandemic is in effect, it will not close cases for abandonment of proceedings because the person failed to attend an eligibility interview, request a visa extension, or have a visa stamped. In Colombia, the IACHR appreciates the information presented by the State regarding the issuance of the Special Stay Permit for the Promotion of Formalization (PEP-FF) as an additional mechanism to the Special Stay Permit, which allowed 762,857 Venezuelans to regularize their status as of June 2020. The IACHR also takes note of the creation, in Costa Rica, of a "special category of complementary temporary protection" benefitting nationals from Cuba, Nicaragua, and Venezuela. In Ecuador, the IACHR takes note of the information provided by the State regarding i) the Admissibility Contingency Plan, which has allowed it to handle 41,899 petitions for refugee status in Ecuador, and ii) the Contingency Plan of the Commission on Refugees and Stateless Persons, which had issued 24,934 resolutions through May 31, 2020. The Commission also welcomes the creation of the 2020-2021 Comprehensive Plan for the Care and Protection of the Venezuelan Population in Human Mobility in Ecuador. According to that plan, from January 2015 through June 30, 2020, the State reported handling 3,284 cases involving vulnerable Venezuelan citizens, including victims of human trafficking. With respect to El Salvador, the Commission takes notes of the Legislative Assembly's approval of a special law to provide comprehensive care and protection for persons in a situation of forced internal displacement, as a result of Judgment 411/17 of the Constitutional Chamber of the Supreme Court, which recognized the phenomenon of forced displacement due to violence. In the case of Guatemala, the Commission notes the Office of the Attorney General's approval of a roadmap to care for unaccompanied migrant children and adolescents in the context of COVID-19, a plan that would be coordinated with the Secretariat for Social Well-Being. The Commission also takes note of the potential implementation of a visa

system that would allow persons of Haitian origin to enter Guyana. In the case of the Mexican State, the Commission welcomes the approval of reforms to the Migration Law and the Law on Refugees, Supplemental Protection, and Political Asylum. With regard to internally displaced persons, the Commission learned that the Chamber of Deputies of the Mexican Congress approved the draft decree of the “General Law to Comprehensively Prevent, Address, and Remedy Forced Internal Displacement,” whose purpose is to recognize and guarantee the rights of those who have been displaced in that country. In Panama, the Commission takes note of Resolution No. 15909 of the National Migration Service, which extends through January 31, 2021, identity cards for foreigners in the country in the case of permits being processed, provisional permits, nonresident visas, and visas related to judicial proceedings, regularization of migration status, and tourist stays, and eliminates the fines when these have expired. In Paraguay, the Commission observed the measures taken by the State in the context of the COVID-19 pandemic to: i) extend the expiration dates of documents issued by the General Directorate of Migration (DGM) that would have expired beginning on March 13; ii) allow documents that expired during the quarantine period to be used in migration proceedings; and iii) exempt from payment of fines migrants whose allowed stay in the country had expired. The Commission also takes note of the publication of Supreme Decree No. 010-2020-IN in Peru, which allows for the regularization of migration status for foreigners whose status in the country is irregular. This legal provision would grant a temporary, one-year permit to remain in the country. In addition, the Commission observed the implementation of measures, in conjunction with international organizations, to provide humanitarian assistance to Venezuelan families in Peru who have been affected by the COVID-19 pandemic. In the Dominican Republic, meanwhile, the IACHR welcomed the publication of Decree 262-20, which grants Dominican citizenship through naturalization to 750 people.

35. With regard to human trafficking, the IACHR acknowledged a number of steps taken by national institutes in States of the region to combat the trafficking, commercial sexual exploitation, and harassment of women. It also takes note of the signing of an inter-institutional cooperation agreement to prevent and end human trafficking in Misiones, Argentina, a province that belongs to the Triple Frontier area (Argentina, Brazil, and Paraguay). The IACHR also notes that the Ministry of Women, Gender, and Sexual Diversity of the Province of Buenos Aires, Argentina, took first-ever steps to transform a brothel into a center for memory and the fight against human trafficking. In Belize, the IACHR takes note of the implementation of a mobile birth registration campaign carried out by the Belize Vital Statistics Unit, in conjunction with UNHCR and UNICEF. As part of the campaign, messages were drafted in Spanish, English, Q'eqchi', and Mopan Maya on the importance of birth registration as a preventive measure so that children and adolescents, especially, do not run the risk of becoming victims of human trafficking or statelessness. The Commission also takes note of the “*Libertade no Ar*” campaign in Brazil, carried out by the Ministry of Justice and Public Security (MJSP) and the Ministry of Labor, to seek help from airline personnel in identifying potential victims of human trafficking in that country. With regard to Canada, the Commission notes that two new programs were announced in Ontario as part of an effort to reduce the sex trafficking of children and teenagers: “Speak Out: Stop Sex Trafficking” and “The Trap.” The first is a program designed by and for indigenous people to provide information on sexual exploitation and human trafficking and how to detect it. “The Trap,” for its part, is designed to raise awareness about sex trafficking among middle and high school-aged children and teens. The IACHR also welcomes the Senate of Chile’s proposal to amend the Criminal Code to punish the crime of human trafficking committed for purposes of illegal adoption and exempt it from statutes of limitation. The IACHR also notes that in the context of its country review, the United Nations Human Rights Committee highlighted Dominica’s creation of the Immigration and Passport Act as a measure to combat human trafficking and transnational organized crime. In Panama, the Commission underscores the initiatives implemented by the Ministry of Public Security to raise awareness about the crime of human trafficking, as well as the establishment of shelters and plans for carrying out training in the public and private sectors to

attend to the victims. In the case of Peru, the IACHR notes the approval of the Operations Guide on investigating the crime of human trafficking, which is intended to strengthen cooperation and coordination with the Public Prosecutor's Office in the prosecution this crime. The Commission also observes that in Saint Lucia, the Department of Home Affairs and National Security and the Task Force on the Prevention of Trafficking in Persons worked together to raise people's awareness that labor exploitation as a form of human trafficking.

36. In terms of the rights of persons deprived of liberty, the IACHR welcomes the initiative of some States to adopt measures to guarantee the right to life of those in custody and ensure their protection in the context of the COVID-19 pandemic. In Argentina, the Federal Penitentiary Service issued specific guidelines to prevent the entry, transmission, and spread of the virus in federal correctional facilities and created protocols for detection, early diagnosis, preventive isolation, and health isolation due to COVID-19. In addition, the Supreme Court issued a decision which found that it is the responsibility of judges with jurisdiction to heed the recommendations of the World Health Organization and the International Committee of the Red Cross with regard to measures and programs to address the pandemic in the context of deprivation of liberty. In Brazil, the Commission welcomes the National Council of Justice's initiative to contain the pandemic and prevent its spread in prisons, whereby it recommended that courts and judges reduce the number of people in custody by adopting alternatives to prison. The measures include the review of cases involving pretrial detention, the adoption of home confinement for older persons and pregnant women, and the move toward an open system for those who would soon be eligible for this legal benefit. Additionally, the IACHR notes that Costa Rica issued Guidelines on the Implementation of Law 9161, reducing the penalties faced by women in vulnerable circumstances for introducing drugs into prison facilities; it establishes minimum guidelines for addressing the situation of women who have been charged and sentenced for bringing drugs into prisons. Along these same lines, the IACHR welcomes the promulgation in Saint Kitts and Nevis of the Criminal Records (Rehabilitation of Offenders) (Amendment) Bill in 2020. This amendment will expunge the records of those who were: i) convicted under section 6B of the Drugs (Prevention and Abatement of the Misuse and Abuse of Drugs) Act, Cap. 9,08; or ii) convicted of an offense or offenses involving up to 56 grams of cannabis or 15 grams or less of cannabis resin. In addition, the IACHR welcomes the efforts undertaken by Honduras to reduce the prison population. Thus, the IACHR took note of the issuance of Decree No. 36-2020, which mainly requires a review of precautionary measures involving pretrial detention in the case of individuals who have an underlying health condition that would put them at greater risk of COVID-19, with a view to applying non-custodial measures instead. This provision also opens up the possibility that non-custodial options could be imposed in the case of crimes for which the Code of Criminal Procedure established pretrial detention as the only possible precautionary measure. The IACHR also takes note of measures adopted by some States to contain the spread of COVID-19 in prisons, as was the case in Belize and Suriname, which introduced mandatory hand-washing and distancing and the wearing of face masks, along with the constant disinfection of high-traffic areas, surfaces, equipment, and staff vehicles and the placement of newly admitted inmates in isolation for 14 days. Meanwhile, the Commission learned of the presidential decree in Venezuela ordering the release from prison of 110 individuals and closing the cases against them. Among those who benefited were congressional representatives and beneficiaries of precautionary measures granted by the Commission.

37. With regard to children and adolescents, the IACHR commended the State of Argentina for designating the first national ombudsperson for children and adolescents, a post created in 2005 for which an appointment had been pending. The IACHR also takes note of the approval of the National Law on Comprehensive Health Care and Treatment during Pregnancy and Early Childhood. With respect to Brazil, the Commission welcomes the decision of the Supreme Court to put an end to overcrowding in correctional facilities for juveniles throughout

the country through a review of the measures applied to adolescents accused of crimes committed without violence or serious threat and the implementation of non-custodial measures. In addition, in the area of protection of the rights of children and adolescents during the COVID-19 pandemic, the IACHR welcomes Brazil's initiative, through the National Secretariat on the Rights of the Child, to recommend that services provided by Child Protection Councils not be suspended during quarantine and social isolation measures. In the case of Chile, the IACHR commends the continuation of the School Nutrition Program during the social isolation measures implemented in the context of the COVID-19 pandemic; the delivery of 125,000 computers with Internet access to allow for online education; and the publication of the website *Chile Crece Contigo* ("Chile Grows with You") with extensive information on the coronavirus for families with children and teens. The IACHR also notes that in October, Chile gave final approval for the creation of the Special Protection Service for Children and Adolescents, which will take on some of the duties of the current National Service for Minors (SENAME). Meanwhile, in Ecuador, the IACHR is pleased to observe that the State expanded education coverage for migrant Venezuelan children and adolescents. According to the information available to the Commission, the number of Venezuelan children and adolescents enrolled in Ecuador grew from 33,803 in 2019 to 49,967 in 2020, an increase of more than 47%. With regard to Honduras, the Commission received information about the Cooperation and Technical Assistance Agreement signed between the Directorate for Children, Youth, and Family (DINAF) and the organization Casa Alianza, designed to prevent and comprehensively address violations of the rights of street children in Tegucigalpa. In the case of Mexico, the Commission is pleased to note that the Congress definitively amended the General Law on the Rights of Children and Adolescents and the Federal Civil Code to prevent corporal and humiliating punishment of children and adolescents. The IACHR also welcomes the Mexican State's initiative to include children and adolescents who lost their fathers and mothers to the COVID-19 pandemic as beneficiaries of scholarships administered by the National System for Integral Family Development (SNDIF), as a way to fully ensure their right to education. In the case of Paraguay, the IACHR welcomes the enactment of Law No. 6486/20, which addresses the promotion and protection of the rights of children and adolescents to live in a family and regulates alternative care measures and adoption. The IACHR is also notes with satisfaction that in August, the State adopted the 2020-2024 National Plan on Children and Adolescents of Paraguay, which includes five pillars: the national system for protecting and promoting the rights of children and adolescents; the active participation of minors in decision-making; the promotion of integral development; protection and restitution of rights; and communication for education. In the case of Peru, the IACHR welcomes the enactment of the Medical Emergency Law for Early Detection and Comprehensive Treatment of Cancer among Children and Adolescents, which among other things ensures health coverage for early diagnosis and appropriate treatment for children and teens, regardless of whether or not they have health insurance. In addition, in the context of the COVID-19 pandemic, the IACHR is pleased to note that the State will provide a pension of 200 soles per month, until age 18, to children and adolescents who lost their fathers and mothers during the health emergency. According to estimates by the Ministry of Economy and Finance, the policy could benefit at least 6,000 children and adolescents. With respect to Uruguay, the IACHR takes a positive view of the initiatives adopted by the State to ensure the continuity of educational services during the COVID-19 pandemic. Specifically, the IACHR notes that 100,000 computers and tablets were distributed and that the national platform for distance learning covered 85% of primary students and 90% of students in secondary school.

38. With regard to people with disabilities, the IACHR welcomes the creation of social inclusion programs targeted to them. The Commission also welcomes the development of public policies in some States that aim to ensure that people with disabilities are part of the social environment, as well as the labor market. In this regard, the IACHR highlights the creation in El Salvador of the National Council for the Inclusion of Persons with Disabilities as the governing body of the National Policy for the Inclusion of Persons with Disabilities, as well as all the

measures and actions taken that seek to fulfill their rights. With regard to Cuba, the Commission welcomes the Council of Ministers' approval of the "Policy Designed to Improve Care and Services for Persons with Disabilities," which calls for eliminating architectural and communication barriers and recognizing talented artists and high-performance athletes.

39. In terms of the rights of older persons, in Barbados the Commission takes note of the creation of a help line by the Ministry of People Empowerment and Elder Affairs for persons who need assistance when they experience situations of domestic violence. The IACHR also recognized the signing of Law 9.857 in Costa Rica, which punishes the abandonment of older adults. In addition, the Commission commended the progress made in El Salvador by the Legislative Assembly's Commission on Families, Children, Adolescents, Older Persons, and Persons with Disabilities, with the participation of civil society, in the Bill for the Protection of Older Persons. This will replace the 2002 Law on Comprehensive Care for Older Adults in keeping with the standards established in the Inter-American Convention on Protecting the Human Rights of Older Persons, to which El Salvador is a party. Likewise, the IACHR welcomed Panama's approval of Law 149, which amends Law 36 of 2016 on Comprehensive Protection of the Rights of Older Adults, providing more protection for older persons from physical mistreatment and establishing the State's responsibility to provide specific rehabilitation and palliative care health services, among other things.

40. With respect to measures adopted on memory, truth, and justice in the region, the IACHR welcomes the changes Argentina made to its Civil and Commercial Code to recognize that statutes of limitations do not apply to actions seeking compensation for harm derived from crimes against humanity, and commends the Argentine State's efforts during the pandemic to resume trials for serious human rights violations. In the case of Chile, as well, the IACHR welcomes the fact that in the trial and conviction of four former DINA agents for kidnapping and torture, including sexual violence against six female prisoners in the "*Venda Sexy*" ("Sexy Blindfold") case, it was specifically recognized that the violence used against the women was sexual violence. In the case of Colombia, the IACHR values the official recognition of 308,141 individual victims and collective subjects of rights under the Special Jurisdiction for Peace (JEP). The Commission also notes that the Missing Persons Search Unit has been able to coordinate, along with other agencies, the dignified handover of 97 bodies of missing persons and arranged for three individuals who were found alive to be reunited with their families. The Commission also welcomes the information released about the National Search Plan—which includes 430 individual searchers, 112 organizations, and 12 agencies—and the development of 14 Regional Search Plans. The Commission also learned of the approval of Ministerial Agreement 934-2020 in Guatemala declaring the National Police Historical Archives to be part of the nation's cultural heritage. In addition, the IACHR recognizes some progress made in the area of memory, truth, and justice in Mexico, such as the creation of the National Search System (SNB), the adoption of the Special Mechanism for Forensic Identification (MEIF), and the adoption of the Institutional Strategic Plan of the National Human Rights Commission (CNDH).

41. With regard to the right to freedom of expression, the Commission takes note of certain judicial decisions in the Americas which represent important steps forward in the respect, promotion, and protection of the right to freedom of expression. In Peru, the Constitutional Court issued a monumentally important decision for the country and the region, recognizing the right to protest as a constitutional right. In Colombia, meanwhile, the Supreme Court, issued a positive decision ordering various actions on the part of government authorities to protect the exercise of the right to peaceful protest. Another significant judgment in this area was issued by the Supreme Court of Argentina, which overturned a judgment against the satirical magazine *Barcelona*, providing strong arguments about the value of satire and humor as tools to provide "a message

critical of power” and offering a reminder that this type of discourse is protected by the right to freedom of expression.

42. In conclusion, the IACHR observed notable efforts by the States, through the development of policies, plans, and legislative and judicial measures, to advance the promotion and effective protection of the human rights of their inhabitants. The Commission acknowledges these efforts and urges States to continue formulating and applying a human rights approach to public policies, in accordance with the recommendations of the bodies of the inter-American human rights system, and to disseminate that approach throughout all State institutions and in society as a whole. The IACHR makes itself available to the States to provide such technical assistance as may be required to achieve these purposes.

**B. Universalization of the Inter-American Human Rights System**

**1. Ratification Status of Inter-American Instruments**

43. The current status of signatures and ratifications of inter-American treaties on human rights can be consulted on the web page of the Department of International Law of the OAS Secretariat for Legal Affairs at the following website: [http://www.oas.org/es/sla/ddi/tratados\\_multilaterales\\_interamericanos\\_firmas.asp](http://www.oas.org/es/sla/ddi/tratados_multilaterales_interamericanos_firmas.asp)

**RATIFICATION STATUS OF THE AMERICAN CONVENTION AND ACCEPTANCE OF THE COURT'S CONTENTIOUS JURISDICTION**

SIGNATORY COUNTRIES	SIGNATURE	RATIFICATION/ACCESSION	DEPOSIT	ACCEPTANCE OF THE COURT'S JURISDICTION
Antigua and Barbuda				
Argentina	02-02-84	14-08-84	RA 05-09-84	05-09-84
Bahamas				
Barbados	20-06-78	05-11-81	RA 27-11-82	04-06-00
Belize				
Bolivia		20-06-79	AD 19-07-79	27-07-93
Brazil		09-07-92	AD 25-09-92	10-12-98
Canada				
Chile	22-11-69	10-08-90	RA 21-08-90	21-08-90
Colombia	22-11-69	28-05-73	RA 31-07-73	21-06-85
Costa Rica	22-11-69	02-03-70	RA 08-04-70	02-07-80
Dominica		03-06-93	RA 11-06-93	
Ecuador	22-11-69	08-12-77	RA 28-12-77	27-07-84
El Salvador	22-11-69	20-06-78	RA 23-06-78	06-06-95
United States	01-06-77			

Grenada	14-07-78	14-07-78	RA 18-07-78	
Guatemala	22-11-69	27-04-78	RA 25-05-78	09-03-87
Guyana				
Haiti		14-09-77	AD 27-09-77	20-03-98
Honduras	22-11-69	05-09-77	RA 08-09-77	09-09-81
Jamaica	16-09-77	19-07-78	RA 07-08-78	
Mexico		02-03-81	AD 24-03-81	16-12-98
Nicaragua	22-11-69	25-09-79	RA 25-09-79	12-02-91
Panama	22-11-69	08-05-78	RA 22-06-78	09-05-90
Paraguay	22-11-69	18-08-89	RA 24-08-89	26-03-93
Peru	27-07-77	12-07-78	RA 28-07-78	21-01-81
Dominican Republic	07-09-77	11-01-78	RA 19-04-78	25-03-99
San Kitts and Nevis				
Saint Lucia				
Saint Vincent and the Grenadines				
Suriname		12-11-87	AD 12-11-87	12-11-87
Trinidad and Tobago		03-04-91	AD 28-05-91*	28-05-91
Uruguay	22-11-69	26-03-85	RA 19-04-85	19-04-85
Venezuela	22-11-69	07-01-19	RA 07/31/19**	07-01-19

Source: Department of International Law of the OAS General Secretariat

\* Complaint filed in May 1998

\*\* Complaint filed in September 2012

RA = RATIFICATION

AD = ACCESSION

44. With respect to the other eight treaties that make up the Inter-American System, the following table indicates the OAS member states that have ratified or acceded to them:

**STATUS OF RATIFICATION OF THE ADDITIONAL PROTOCOLS TO THE AMERICAN CONVENTION AND OTHER INTER-AMERICAN HUMAN RIGHTS TREATIES**

States	PACAMDE SC <sup>1</sup>	PCADHAP M <sup>2</sup>	CIPST <sup>3</sup>	CIDFP <sup>4</sup>	CIPSEVM <sup>5</sup>	CIEFDPD <sup>6</sup>	CICTFDI <sup>7</sup>	CICRDRFCI <sup>8</sup>	CIPDHMP <sup>9</sup>
Antigua & Barbuda					A 12-08-98		R 01-06-18		
Argentina	R 30-03-03	R 18-06-08	R 18-11-88	R 31-10-95	R 09-04-96	R 28-09-00	F 07-06-13	F 07-06-13	R 23-10-17
Bahamas					A 03-05-95				
Barbados					R 08-02-95				
Belize					A 25-11-96				
Bolivia	R 12-07-06		R 26-08-96	R 19-09-96	R 26-10-94	R 27-02-03	F 10-03-15	F 10-03-15	R 17-05-17
Brasil	A 08-08-96	R 31-07-96	R 09-06-89	R 26-07-13	R 16-11-95	R 17-07-01	F 07-06-13	F 07-06-13	F 15-06-15
Canada									
Chile		R 04-08-08	R 15-09-88	R 13-01-10	R 24-10-96	R 04-12-01	F 22-10-15	F 22-10-15	R 15-08-17
Colombia	A 22-10-97		R 02-12-98	R 01-04-10	A 03-10-96	R 04-12-03	F 08-09-13	F 08-09-14	
Costa Rica	R 29-09-99	R 30-03-98	R 25-11-99	R 20-03-96	R 05-07-95	R 08-12-99		R 12-12-16	R 12-12-16
Cuba									
Dominica					R 30-06-95				
Ecuador	R 10-02-93	R 05-02-98	R 30-09-99	R 07-07-96	R 30-06-95	R 01-03-04	F 07-06-13	R 14-01-20	
El Salvador	R 04-05-95		R 17-10-94		R 13-11-95	R 15-01-02			A 18-04-18
Estados Unidos									
Grenada					R 29-11-00				
Guatemala	R 30-05-00		R 10-12-86	R 27-07-99	R 04-01-95	R 08-08-02			
Guyana					R 08-01-96				
Haití					A 07-04-97	R 29-05-09	F 25-06-14	F 25-06-14	
Honduras	A 14-09-11	A 14-09-11		R 28-04-05	R 04-07-95	A 14-09-11			
Jamaica					R 11-11-05				
México	R 08-03-96	R 28-06-07	R 11-02-87	R 28-02-92	R 19-06-98	R 06-12-00	R 21-01-20	R 21-01-20	
Nicaragua	R 15-12-09	R 24-03-99	A 23-09-09		R 06-10-95	R 15-07-02			
Panamá	R 28-10-92	R 27-06-91	R 27-06-91	R 31-07-95	R 26-04-95	R 24-01-01	F 05-06-14	F 05-06-14	
Paraguay	R 28-05-97	R 31-10-00	R 12-02-90	R 26-08-96	R 29-09-95	R 28-06-02			
Perú	R 17-05-95		R 27-02-90	R 08-02-92	R 02-04-96	R 10-07-01	F 25-10-16	F 25-10-16	
República Dominicana		A 19-12-11	R 12-12-86		R 10-01-96	R 28-12-06			

<sup>1</sup> Additional Protocol to the American Convention on Economic, Social and Cultural Rights, adopted in San Salvador, El Salvador, November 17, 1988, 18th regular session of the General Assembly.

<sup>2</sup> Protocol to the American Convention on Human Rights to Abolish the Death Penalty, adopted in Asuncion, Paraguay, on 8 June 1990, 20th regular session of the General Assembly.

<sup>3</sup> Inter-American Convention to Prevent and Punish Torture, adopted at Cartagena de Indias, Barranquilla, Colombia, on December 9, 1985, 15th Regular Session of the General Assembly.

<sup>4</sup> Inter-American Convention on Forced Disappearance of Persons, adopted in Belém do Pará, Brazil, on June 9, 1994, 24th Regular Session of the General Assembly.

<sup>5</sup> Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, adopted in Belém do Pará, Brazil, on June 9, 1994, 24th Regular Session of the General Assembly.

<sup>6</sup> Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, adopted in Guatemala City, Guatemala, June 7, 1999, 29th regular session of the General Assembly.

<sup>7</sup> Inter-American Convention against All Forms of Discrimination and Intolerance, adopted in Guatemala City, Guatemala, June 5, 2013, 43rd regular session of the General Assembly.

<sup>8</sup> Inter-American Convention against Racism, Racial Discrimination and Related Intolerance, adopted in Guatemala City, June 5, 2013, 43rd regular session of the General Assembly.

<sup>9</sup> Inter-American Convention on the Protection of the Human Rights of Older Persons, adopted in Washington, D.C., on June 15, 2015, 45th regular session of the General Assembly.

San Kitts y Nevis					R 17-03-95				
Santa Lucía					R 08-03-95				
San Vicente y las Granadinas					R 23-05-96				
Suriname	A 28-02-90		R 12-11-87		R 19-02-02				
Trinidad y Tobago					R 04-01-96				
Uruguay	R 21-11-95	R 08-02-94	R 23-09-92	R 06-02-96	R 04-01-96	R 24-05-01	R 11-05-18	R 12-10-17	R 18-11-16
Venezuela	R 24-07-20	R 06-04-94	R 25-06-91	R 06-07-98	R 16-01-95	R 06-06-06			

Source: Department of International Law of the OAS General Secretariat

## 2. Progress Made with the Ratification and Signature of Instruments of the Inter-American System in 2020

45. The IACHR has stressed the importance of universal ratification of the instruments of the inter-American system as a critical element in ensuring full respect for and guaranteeing human rights in the Americas.

46. Specifically, the Inter-American Commission congratulates the States of Ecuador, Mexico and the Bolivarian Republic of Venezuela for ratifying, acceding to, and signing the following international instruments on the protection of human rights, listed in chronological order.

47. On January 14, 2020, the Republic of Ecuador deposited the instrument of ratification to the Inter-American Convention against Racism, Racial Discrimination and Related Intolerance at OAS headquarters in Washington, D.C., United States.

48. For its part, on January 21, 2020, Mexico deposited the instrument of ratification the Inter-American Convention against All Forms of Discrimination and Intolerance at OAS headquarters in Washington, D.C., United States. On the same day, Mexico deposited the instrument of ratification go the Inter-American Convention against All Forms of Discrimination and Intolerance.

49. In accordance with the [Department of International Law of the OAS](#), on July 24, 2020, the Bolivarian Republic of Venezuela filed its instrument of ratification of the Additional Protocol to the American Convention on Economic, Social and Cultural Rights, “Protocol of San Salvador”.

50. The Inter-American Commission urges the member States of the OAS to follow the above-mentioned examples, since universal ratification of inter-American instruments is indispensable to achieve full protection of the human rights of all persons in the Hemisphere

### C. Origin, Legal Basis, Structure, Purposes and Mandates

51. The Inter-American Commission on Human Rights (“IACHR” or “Inter-American Commission”) is an autonomous organ of the Organization of American States (OAS), headquartered in Washington, D.C. Its mandate is established in the OAS Charter, the American Convention on Human Rights (“American Convention”) and the IACHR Statute. Along with the Inter-American Court of Human Rights, headquartered in San Jose, Costa Rica, the Inter-

American Commission is one of two organs of the inter-American system responsible for the promotion and protection of human rights.

52. The IACHR is comprised of seven members, who act independently of each other and do not sit in representation of any country. The Commissioners are elected by the OAS General Assembly for a four-year period and are eligible to be reelected once. The Inter-American Commission convenes regular and special sessions several times each year. Under Article 13 of the IACHR Rules of Procedure, the Executive Secretariat of the Inter-American Commission performs the tasks entrusted to it by the Commission and provides legal and administrative support to the Commission so that it can fulfill its duties.

53. In April 1948, in Bogota, Colombia, the OAS approved the American Declaration on the Rights and Duties of Man (“American Declaration”), which was the first international human rights instrument of a general nature. The IACHR was created in 1959 and held its first session in 1960.

54. In 1961, the IACHR began to conduct in situ visits to different countries in order to observe the human rights situation first hand on the ground. Since that time, it has conducted several visits to Member States of the Organization. Based partly on these fact-finding missions, the IACHR has thus far published 135 country and thematic reports

55. In 1965, the IACHR was expressly authorized to hear complaints or petitions pertaining to specific human rights violations. Final published reports on these individual cases can be found in the Annual Reports of the IACHR and can also be viewed on the IACHR Web page under the Petitions and Cases tab.

56. The American Convention on Human Rights was approved in 1969 and came into force in 1978. As of December 2020, twenty-four Member States are parties to this instrument: Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominica, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Suriname, Uruguay, and Venezuela.

57. The American Convention defines the human rights that the ratifying States have agreed to respect and ensure. This instrument also created the Inter-American Court of Human Rights and established the functions and procedures of the Inter-American Commission and Court. In addition to considering complaints where responsibility is attributed for violations of the American Convention committed with respect to States Parties to that instrument, the IACHR has the legal authority, under the OAS Charter and its own Statute, to examine alleged violations of the American Declaration by OAS Member States that are not yet parties to the American Convention.

58. In fulfillment of its mandate, the duties of the IACHR are to:

a) Receive, examine and investigate individual petitions alleging human rights violations, in keeping with Articles 44 to 51 of the American Convention, Articles 19 and 20 of its Statute, and Articles 23 to 52 of its Rules of Procedure.

b) Observe the general human rights situation in the Member States and publish special reports on the situation in a particular Member State, when it is deemed necessary, as provided under Article 60 of its Rules of Procedure.

c) Conduct *in situ* visits to countries in order to carry out a thorough analysis of the general situation and/or to investigate a specific situation, as provided for under Article 18 of its Statute and Article 53 of its Rules of Procedure. In general, these visits result in the preparation of a report on the human rights situation of the country concerned, which is published and submitted to the OAS Permanent Council and General Assembly.

d) Raise public awareness about human rights in the Americas. For this purpose, the IACHR conducts and publishes studies on specific themes in keeping with Article 15 of its Rules of Procedure. Examples include: what measures must be adopted to ensure greater access to justice; the effect of internal armed conflicts on particular groups of persons; the human rights situation of children, women, LGBTI persons, migrant workers and their families, persons deprived of liberty, human rights defenders, indigenous peoples and persons of African descent; racial discrimination, freedom of expression and economic, social and cultural rights.

e) Organize and host visits, conferences, seminars and meetings with representatives of governments, academic institutions, non-governmental entities and others, in order to disseminate information and foster broad awareness of the work of the Inter-American human rights system, in accordance with Article 41 of the American Convention on Human Rights and Article 18 of the IACHR Statute.

f) Recommend that the OAS Member States adopt measures that contribute to the protection of human rights in the countries of the hemisphere, in accordance with Article 41 of the American Convention on Human Rights and Article 18 of the IACHR Statute.

g) Request Member States to adopt precautionary measures, as provided for by Article 25 of the Commission's Rules of Procedure, in order to prevent irreparable harm to persons in serious and urgent cases. Additionally, in keeping with Article 76 of its Rules of Procedure, the IACHR may request that the Inter-American Court orders the adoption of provisional measures in cases of extreme gravity and urgency to prevent irreparable harm to persons.

h) Bring cases and appear before the Inter-American Court of Human Rights during the processing and consideration of the cases, in accordance with Article 61 of the American Convention on Human Rights and Articles 45 and 74 of the IACHR Rules of Procedure.

i) Request advisory opinions from the Inter-American Court, in accordance with Article 64 of the American Convention and Article 19 of the IACHR Statute.

59. Every person, group of persons, or non-governmental entity legally recognized in one or more OAS Member States may submit petitions to the Inter-American Commission regarding violations of a right recognized in the American Convention, the American Declaration or other relevant instruments, in accordance with the respective provisions thereof, the IACHR Statute, and the Rules of Procedure. Additionally, in the circumstances described and regulated under Article 45 of the American Convention, the IACHR may consider interstate communications. Petitions may be submitted in any of the four official OAS languages (Spanish,

French, English, or Portuguese), either by the alleged victim of the human rights violation or by a third party; and in the case of interstate communications, by a State.

**C. Structure of the Executive Secretariat**

