
Public Hearings held during the 170th Period of Sessions Annex to the Press Release 271/18

Washington, DC—The Inter-American Commission on Human Rights (IACHR) held its 170th Period of Sessions at its headquarters between December 3 and 7, 2018. At the event, the IACHR held 21 public hearings concerning Bolivia, Brazil, Chile, Colombia, Ecuador, El Salvador, Haiti, Honduras, Mexico, Nicaragua, Peru, the United States, and Venezuela, and several regional hearings. [Videos of the hearings are available](#), as are [high-definition photos](#), which are licensed for download and use by interested parties.

The rest of this document contains summaries of the public hearings in the chronological order in which they were held.

The Search for Disappeared People in the Americas

The petitioners stated that forced disappearance is a widespread practice in Latin America but that the region has also pioneered different types of responses to this crime. However, the results still fall short. The petitioners stated that the search for disappeared people is a large-scale initiative which coordination, management, and planning-related challenges, and that the state's role should reach beyond simply implementing, coordinating, and administering this. They also said how important it was for states to respect solutions and knowledge that come from civil society and to understand that family and community members are experts in their own right. They added that psychosocial monitoring is a crosscutting issue that is relevant to all countries, regions, and communities and that any search model must begin with an appropriate diagnosis of the nature of the problem in each country. They asked the IACHR to articulate different types of knowledge and to guide efforts to create search policies. The United Nations Committee on Enforced Disappearances reported on the Draft Guiding Principles for the Search for Disappeared Persons and invited contributions to this. The IACHR stated that establishing search mechanisms was a priority for its Memory, Truth, and Justice Unit and invited the petitioners to collaborate on this.

The Situation of Human Rights Defenders in Brazil

The petitioner organizations pointed out that there is a strong racial and gender component to human rights violations, threats and the criminalization and delegitimization of human rights defenders and that these particularly affect people of African descent. They also warned that there are a worrying number of bills that aim to frame the activities of social movements as being crimes, notably as terrorism, and that to date there has been no effective response to the murder of human rights defender Marielle Franco. The Brazilian state expressed that 462 human rights defenders are currently covered by its national protection program. They also highlighted the huge effort that had been made to increase the program's budget by 6% this year, which has allowed it to negotiate implementation agreements with five more states. The IACHR highlighted the problems relating to human rights defenders that it had observed during its recent in loco visit to Brazil and reiterated its recommendation to strengthen the national protection program, especially with regard to making protection measures

more effective and ensuring that the program reaches rural areas. The IACHR also requested that the Brazilian state provide more information on investigations into the murder of Marielle Franco.

Arbitrary Arrest and Political Rights in Venezuela

The petitioner organizations expressed their concern over the weakening of democratic institutions in Venezuela, attacks against the Venezuelan National Assembly, the arbitrary arrest of elected deputies and grave violations of their human rights, the absence of a separation of powers, and the excesses and arbitrariness of the legal system. They claim that there is a systematic plan to weaken and shut down opposition political parties and that nearly 90% of such parties have disappeared over the last eight years. They addressed the regime of repression and political persecution of demonstrators, which includes arbitrary arrest and multiple other human rights violations such as torture and other forms of cruel, inhuman, and degrading treatment, deaths in custody, violations of due process, and lack of access to justice. They also denounced the arbitrary arrest, torture, and death in custody of opposition councilor Fernando Albán at SEBIN facilities and called for an independent commission to investigate the case. They also reported on serious restrictions on the actions of civil society organizations and the impact of this on the violation of fundamental human rights guarantees around free association and participation, freedom of expression, health, and economic security. The Venezuelan state argued that political rights and the right to assembly and demonstration are enshrined in the country's Political Constitution and are freely exercised in Venezuela. It claimed that this is a strategy to destabilize democratic rule in the country. The state claimed that the numbers of political parties have dropped because many of these did not meet the necessary requirements to be considered as such. The state also argued that the Venezuelan people can freely exercise their right to freedom of expression, as is evidenced by the number of demonstrations that take place in the country. It also stated that people who are deprived of their freedom are shown respect and that the allegations of torture are false. The state also indicated that the death of councilor Albán has been investigated into and was found to have been a suicide. The IACHR drew attention to the contradictions between the two parties' statements; requested once again that the Venezuelan state allow it to visit the country; expressed its concern at the allegations raised during the hearing, especially the reports of torture; and emphasized Albán's widow's right to know the circumstances in which her husband lost his life and to be given his remains. The IACHR insisted on the importance of respecting civil society's right to the freedom of expression, access to justice, and judicial guarantees. It also urged that investigations be implemented to guarantee victims and their families the right to truth.

The Situation of People Deprived of Freedom in Haiti

Those who took part in the hearing described the abominable conditions in prisons in Haiti, which include overcrowding, lack of cleanliness, the risk of nutritional imbalances, and the lack of access to medical services. In addition, the petitioner organization emphasized the excessive use of pretrial detention, which lasts approximately three to five years, and stated that 118 people deprived of their freedom in Haiti died between June and October 2018 due to the conditions in detention centers. The state said that attending to the needs of people who were deprived of their freedom is one of the current government's priorities and mentioned an order enabling immediate access to a judge and immediate release when there is no proof of guilt. It also said it is taking actions to improve nutrition in prisons. However, the state acknowledged that it must continue to promote better solutions for the use of pretrial detention and improve the conditions in which detainees are held. The IACHR noted the importance of designing solutions that are based on the presumption of innocence and establishing

alternative mechanisms to detention. It once again expressed its interest in making an official visit to Haiti.

The Situation of Indigenous Peoples, Lands, and the Environment in the Peruvian Amazon

The petitioners argued that the community of Santa Clara de Uchunya is being threatened by the illegal expansion of agro-industrial oil palm crops into their ancestral territories. This has led to deforestation of the area which has had a significant impact on their health, nutrition, ways of life, and cultural practices. They also expressed their concern about the violence faced by indigenous leaders and defenders of the area who have been harassed and received death threats, as have their families. These acts have gone unpunished. The petitioners therefore requested that the community's ancestral territory be recognized and that the deforestation be stopped. The state responded by saying that it will ensure this information reaches the appropriate authorities and that the alleged land trafficking has been investigated by the Public Prosecutor's Office. It added that there is a National Oil Palm Plan which has already been set in motion even though it has not yet been passed. It also stated that one of the strategic focuses of Peru's National Human Rights Plan is the protection of human rights defenders and that authorities and the police forces have met with community representatives to address these situations of violence. The IACHR underlined the importance of continuing this dialogue, stating that the hearing provides valuable background information for its work on the Panamazonia Report and for evaluating the precautionary measures requested by the petitioners at the hearing.

Marriage Equality in the Americas

During the hearing on marriage equality, the petitioner organizations presented an overview of the situation of same-sex partnerships in different OAS member states and the challenges to the recognition of these. They discussed the negative impacts that not recognizing these partnerships have on the lives of LGBTI people, with a focus on how this implies a lack of protection of the rights of children and adolescents that are part of such families. They emphasized the failure or delay in implementing the guidelines on equality and nondiscrimination for same-sex couples set out in the Inter-American Court of Human Rights' Advisory Opinion No. 24/17. They also addressed the inroads that antirights groups are making in the region and the use of hate speech against LGBTI people in different areas of society, including legal and political platforms. The IACHR emphasized that equality and nondiscrimination are fundamental human rights and that states must therefore promote sociocultural change to move toward the elimination of stigma and negative stereotypes against LGBTI people and ensure that they can live their lives free from any kind of violence.

Reports of Femicide in Ecuador

At the hearing on allegations of femicide in Ecuador, the petitioner organizations noted the obstacles to protecting women from gender-based violence, particularly from gender-based killings. They also pointed to the lack of consolidated, disaggregated, up-to-date statistical data; the reduction in the budget for protecting women; the lack of resources for prevention and investigation; and the fact that the criminal offense of femicide is only used in connection with relationships between partners or expartners. In many cases, the prosecution of gender-based murders of women does not take into account aggravating factors such as harassment or does not contemplate sexual femicides or those committed against vulnerable people such as LGBTI women. Similarly, representatives of civil society pointed to the prevalence of discriminatory stereotypes that impede women's equal and effective access to justice. Representatives of the state expressed Ecuador's commitment to this cause and

describe the actions that have been taken to specifically address femicide. These include creating specialist prosecutor's offices, adopting the protocol for investigating sexual crimes, and implementing various forms of prevention. State representatives also reported on the coordinated data collection system, which they said had brought about a reduction in femicide numbers over the last five years. The IACHR acknowledged the efforts the state is making to protect women's rights but noted the gap between the legal framework and the incomplete application of femicide as a type of crime and the prevalence of gender stereotypes. The IACHR insisted on the need to effectively address violence against LGBTI women and to ensure that all workers and officials in Ecuador's legal system receive gender sensitivity training.

Enforced Disappearances in Nuevo Laredo, Tamaulipas, Mexico

The petitioners stated that between February and May 2018, between 37 and 51 people were disappeared in Nuevo Laredo, Tamaulipas, and that members of the Mexican Navy were allegedly involved in these crimes. They argued that the Office of the Attorney General of the Republic failed to ensure that these crimes are properly investigated, denied access to information, refused to provide protection for those who have received threats, and also investigated and criminalized victims' family members and human rights defenders. They requested that the state take a series of structural measures to combat enforced disappearance, including holding a high-level meeting with victims' families in Nuevo Laredo, and also asked the IACHR to create a monitoring mechanism. The state said it was committed to openness to international scrutiny and recognized that it is going through a human rights crisis and that enforced disappearance is a serious problem in the country. It undertook to make the Enforced Disappearance Act effective and to carry out impartial, objective investigations into all those responsible; to take measures to prevent the criminalization of family members and human rights defenders; to guarantee access to information and strengthen the National Search Commission; and to create a public prosecutor's office that specializes in human rights. It said it was open to discussing the creation of a monitoring mechanism with the IACHR. The IACHR expressed the need for clear diagnostic work to enable a coordinated search plan to be established and for victims and their families to be provided with psychosocial support. The IACHR accepted the Mexican state's invitation for it to create a monitoring mechanism on this matter.

Re-election in Bolivia, Ruling 84/17, and the American Convention

The petitioners argued that the Plurinational Constitutional Court of Bolivia interpreted that article 23 of the American Convention should be applied preferentially to eliminate the barriers to re-election, which is contemplated in the Constitution of the Plurinational State of Bolivia that was passed by referendum in 2009. According to the petitioners, the court's decision runs contrary to the provisions of the Constitution and the popular will expressed in the 2016 referendum which rejected continued reelection. This affects the exercise of political rights in Bolivia that are protected by the American Convention. The state argued that the Constitutional Court's ruling is legitimate and that it had taken the jurisprudence of the Inter-American System of Human Rights into account and complied with the rules for interpreting the Constitution. The state also argued that article 23 of the American Convention clearly establishes permissible restrictions to political rights and that imposing barriers to re-election violates the provisions of this article. The IACHR valued the fact that this hearing was held, as it reinforced the link between democracy and human rights. The IACHR also consulted the parties on whether any possibility of appeal would be available, as it understood the court's decision to be final. The IACHR discussed the preferential application of article 23 of the American Convention, which is not limited to voting, and expressed its concern that the ruling in the Castañeda Gutman case concerning

Mexico does not solve the issue of reelection per se but rather the participation of independent candidates in elections. It argued that the jurisprudence of the American System is vast and needs to be examined in a comprehensive fashion.

The Situation of Defenders of the Human Rights of Migrants in the United States

Despite the absence of the US government from the hearing due to national mourning over the death of former US president George HW Bush, the petitioner organizations and defenders who were among the civil society representatives present decided to go ahead with proceedings. The hearing was attended by nine human rights defenders who gave testimonies on activities such as surveillance, threats, arbitrary deportation processes, arbitrary arrests, the separation of families, deportations to countries where the lives or safety of their families would be endangered, and shortcomings in due process. They also explained how these practices would affect their families and their work as defenders. According to the testimonies of these defenders of the human rights of migrants in the United States, it is common practice for US immigration authorities to detain migrants and initiate deportation proceedings against them in retaliation for their work as defenders. They expressed their concern over the fact that those concerned do not have legal representation in 80% of these cases; their lack of legal protection; their inability to access their files to be able to defend themselves appropriately; the lack of transparency in surveillance policies; and the lack of accountability mechanisms regarding the abuse of power by authorities, among other things. The petitioner organizations asked the IACHR to grant precautionary measures in the event of threats or reprisals against them for attending the hearing. They also reported that 17 defenders of the human rights of migrants have received threats from US government authorities. The IACHR expressed its deep concern over what it observed is the worst period in the history of the human rights of migrants, which is exacerbated by the persecution of those seeking to defend these. It also reported on the working visit planned for January 2019 to the southern US border and other relevant parts of the country to monitor the human rights situation of migrants, asylum-seekers, and refugees.

Human Rights of Older Persons: Inter-American Convention and Monitoring Mechanism

The hearing was requested by the state of Uruguay, which has evaluated the current state of affairs in the region regarding the passing and ratification of the Inter-American Convention on Protecting the Human Rights of Older Persons at the OAS. Uruguay reported on the agreements reached as part of the work of the Permanent Commission for the Promotion and Protection of the Rights of Older Persons at the MERCOSUR Meeting of Senior Human Rights Authorities. It also presented the progress that the Uruguayan state had made on public policies, with a focus on four key areas: the right to health, participation, social protection, and care. Uruguay also urged the other OAS member states to ratify the Inter-American Convention on Protecting the Human Rights of Older Persons to enable the implementation of a comprehensive monitoring mechanism consisting of a Conference of States Parties and a Committee of Experts, which will be established once the tenth instrument of accession or ratification has been received. Civil society representatives discussed the ongoing challenges in the region around care for the elderly. They reported that levels of violence against the elderly have risen, that these events often take place within the family or institutions maintained by the state for the purpose of caring for these people, and that there are no effective monitoring or supervisory mechanisms for preventing abuse against them. They also stated that older adults continue to have weak political representation before decision-makers. The civil society representatives argued once more for the need to ratify the convention and create a strategic plan for promoting its ratification and implementation in the Western Hemisphere. They also drew attention to the need to reverse negative

perceptions of old age and instead to emphasize the value of the wisdom and experience of the elderly. Civil society organizations urge states to protect older people regardless of the borders between their countries. The IACHR welcomed Uruguay's initiative in proposing the hearing and that of civil society for taking part in it. It agreed that a plan to raise awareness is necessary to urge states to ratify this important convention. The IACHR views the convention as a fundamental instrument for bringing about the transformations needed to guarantee the rights of older persons as it expands the mechanisms for their legal protection. The IACHR urged member states to ratify the convention and to commit to guaranteeing the standards established through it.

The Militarization of Public Security in the Americas

The petitioner organizations reported on the growing regional trend toward the use of armed forces to perform public security tasks. They argued that there is a pattern of using military forces, equipment, and techniques to combat drug trafficking, terrorism, and organized crime in different countries such as Argentina, Honduras, Guatemala, El Salvador, Brazil, the United States, and Mexico. They claim that rather than preventing or reducing crime, this growing militarization has led to an increase in extrajudicial executions, torture, enforced disappearances, forced displacement, forced occupation of poor neighborhoods, and mass imprisonment in inhuman conditions. They also discussed legislative changes and the introduction of new regulations that open up greater possibilities for the armed forces to intervene in civil society or that expand their potential domestic functions, particularly in Brazil and Argentina. In the same vein, the organizations provided information on the deployment of military troops to the US–Mexico border to respond to the arrival of “migrant caravans” in the last month and the excessive use of force by US Customs and Border Protection. The IACHR acknowledged the current challenges relating to this growing militarization. It stressed that nationalism and populism, which are on the rise in the region, have prompted a revival of national security doctrine. It also expressed concern about laws that criminalize the actions of human rights defenders and media workers. The IACHR will be prioritizing this issue in its work agenda.

Repression and Human Rights Violations in Nicaragua

The petitioner organizations described the patterns of repression that have been unfolding in Nicaragua and argued that the current phase entails a strategy to dismantle criticism and scrutiny of the government. They said that there had been an increase in police deployment in public spaces to prevent “even the simplest demonstrations” from the end of September and that the state had even prohibited protests in October and November. These organizations reported on violations of due process guarantees for people facing charges of terrorism and other crimes, including the removal of judges under whose jurisdiction such cases would usually fall, incommunicado detention and isolation, delays in presenting cases to the appropriate authorities, and abuse of protected witnesses. The organizations expressed their concern at the increase in aggression against journalists in Nicaragua and acts of repression and stigmatization against human rights defenders, particularly the “expulsion” of Ana Quirós to Costa Rica. The OHCHR described the work it had carried out in recent months to monitor the human rights situation in Nicaragua remotely and said that a mission would be visiting Managua in the coming weeks to explore the conditions for the OHCHR to return to the country. The IACHR thanked the organizations for the work they are doing and stressed how important the MESENI's ongoing activities are in keeping the IACHR permanently informed. It also informed those present that it had received a letter from the state of Nicaragua which said that it considered the hearing to be inappropriate and unnecessary given the MESENI's on-the-ground presence. The IACHR noted that its different monitoring mechanisms are complementary to one another. It also mentioned that it will be continuing to monitor

the situation in Nicaragua, presenting reports on the human rights situation in the country. It will also be strengthening the MESENI, continuing with the visits of commissioners and special rapporteurs, and monitoring the situation in a permanent fashion.

The Human Rights Situation within Chile's National Children's Service

The petitioners for the hearing spoke out about violations of the rights of children and adolescents that are handled by the National Children's Service (SENAME) and said that it was the state's responsibility to address these. The petitioners also said that various instances of torture and cruel and degrading treatment had been reported at SENAME, including children being forced to remain standing, half-naked, and being beaten repeatedly. The petitioners welcomed the Chilean government's initiative to close the CREAD facility at Playa Ancha but stressed that this must be implemented with the utmost urgency. They also reiterated their request for Chile to adopt a law on the comprehensive protection of the rights of children and adolescents. The representatives from the state said that the government of Chile acknowledges the challenges around the National Children's Service and said that the current government has decided to replace this with a Child Protection Service. The state said that it was open to a visit from the IACHR, as proposed by the petitioners, but said it would be important to coordinate this with the OHCHR to avoid the duplication of efforts. The IACHR confirmed that it is following up on the SENAME issue through different mechanisms. It also welcomed the state's initiatives and underlined the importance of taking effective action to prevent further violations of rights from taking place. The IACHR also discussed the importance of Chile adopting legislative measures to strengthen its commitment to this issue. Commissioner Esmeralda Arosemena de Troitiño, the rapporteur on the rights of the child, reported that this issue is still on the IACHR agenda and expressed her interest in coordinating a working visit with the Chilean state for the beginning of 2019.

Precautionary Measure 309/18—Efraín Segarra, Abril Paúl Rivas Bravo, Javier Ortega Reyes (Ecuador)/Special Follow-Up Mechanism (ESE)

At the Hearing on Precautionary Measure PM-309/18-EC, the IACHR received information on the status of the investigations into the kidnapping and murder of the team from Ecuador's El Comercio newspaper, in connection with the work of the Special Follow-Up Team (ESE). The representatives of the journalists' families discussed the events that had taken place after the kidnapping and the subsequent murder of the team. They raised doubts about the investigation being carried out in Ecuador, the coordination between Ecuador and Colombia, the clarifications of events, and the way in which the kidnapping was handled by Ecuador. They argued that the prosecutor's office has only made progress on the investigation during the ESE's visits to Ecuador and requested that the line of investigation be opened up so as to contemplate the possible involvement of state agents. They also requested that the handling of the kidnapping be investigated and protection measures for journalists be reviewed. The relatives maintained that the events around the kidnapping of the journalists took place in Ecuador. The representatives expressed their ongoing support for the ESE. The State claimed that the actions being taken to handle the case in question were entirely appropriate. It described these actions in detail, particularly its response to criminal groups that allegedly formed in the wake of the peace process in Colombia and which are posing new threats to the state of Ecuador in the border region. The state also reported on the actions it had taken once the kidnapping of the journalists from El Comercio newspaper became public knowledge. In this regard, it stated that the kidnapping, imprisonment, and murder of the journalists were known to have taken place in Colombia. The state expressed its view that the ESE is an exceptional mechanism that is part of the precautionary measure that the different parties have expressed a desire for. The state also noted that it has provided the ESE with information as per

domestic law. It made a number of requests, notably that it be allowed to finish the work set out in its program. This state also requested that the precautionary measure be lifted and filed once the ESE's report has been delivered.

Precautionary Measure 309/18—Efraín Segarra, Abril Paúl Rivas Bravo, Javier Ortega Reyes (Colombia)/Special Follow-Up Mechanism (ESE)

At the Hearing on Precautionary Measure PM-310/18-CO, the IACHR received information on the status of the investigations into the kidnapping and murder of the team from Ecuador's El Comercio newspaper, in connection with the work of the Special Follow-Up Team (ESE). The representatives of the journalists' family argued once more that the kidnapping and murder of the team of journalists could have been prevented as the violence and insecurity of the area where these took place was well-known, as were specific acts related to the team in question. They argued that the investigation being carried out by the Colombian Attorney General's Office should not be limited to the activity of the criminal group in question but should rather be expanded to contemplate the context of the border, they alleged involvement of state security forces, and possible oversights by different levels of the Colombian state. Despite this, the victims' family members acknowledged the headway that has been made on the investigation, the arrests that have been made, and the fact that the victims' bodies have been located and repatriated. They stressed the need for an appropriate protection mechanism for media workers to be established. The victims' families also requested that the results of newspaper investigations that have been published in recent weeks be taken into account. The representatives and family members discussed the possibility of extending the ESE's work. The Colombian state thanked the ESE for the work it has carried out. It also reported on the actions taken by security forces against the remaining illegal armed FARC group that is operating on the border and discussed the progress that investigations in Colombia have made on clarifying the events in question. It also discussed the different activities it had undertaken to investigate events and capture and prosecute suspects, the arrest warrants it had issued, and the cooperation initiatives it is pursuing with Ecuador. The state claimed that the team of journalists was kidnapped in Mataje, Ecuador, and were then transferred to Colombia. It also reported that there was no evidence of the police or armed forces getting involved to attempt a rescue. The Colombian state insisted that the evidence it had gathered and the interrogations it had carried out pointed to the fact that the matter was not related to the fact that the victims were journalists, but was rather due to the Ecuadorian government's refusal to exchange three prisoners for the three captives.

Independence of the Judiciary and the Selection Process for the Attorney General in El Salvador

The petitioner organizations stated that the current process for selecting the attorney general in El Salvador does not meet with the required standards for the selection of senior state officials. Among other things, it does not comply with the standards on publicity, deliberation and public debate, objective evaluation criteria, or formal mechanisms for civil society participation. Petitioner organizations are particularly concerned that the process is not regulated through any domestic law despite the fact that the selection process is already underway, and that candidate files have not been made public. They also emphasized the importance of an independent prosecutor's office for human rights and the fight against corruption. The representatives of the states pointed out that the early stages of the selection process were made public and a mechanism was established for citizens to access candidate assessments, which were publicized and held in a space which interested parties had access to. The IACHR stressed the importance of the role that attorney general's offices play in the rule of law and protecting human rights. It requested further information from the state on the regulations governing the selection process and on the suitability, capacity, and merit of candidates.

PM-112-16: Berta Cáceres (Honduras)

At the hearing on Precautionary Measure PM-112/16—Relatives of Berta Cáceres, members of COPINH, and others, concerning Honduras, the IACHR received information on the current predicament of the beneficiaries of this precautionary measure and on the status of domestic processes with a view to clarifying events and establishing responsibility for the murder of defender Berta Cáceres. The state reported on the ruling that convicted seven people for the murder of Berta Cáceres on November 29, 2018. The state also said that it is prosecuting a senior executive of the company Desarrollos Energéticos Sociedad Anónima (DESA), who is accused of masterminding the above crimes. The state said that it would continue investigating the possible involvement of other individuals in masterminding the crimes. The state also noted that it has complied appropriately with the principle of publicity. The state also provided information on the protection measures that beneficiaries currently enjoy, which it argued were agreed on with them. The organizations representing the beneficiaries of the precautionary measures stated that not all people who were involved in the matter have been investigated. They pointed to irregularities such as the denial of access to evidence, impediments to the publicity of the trial, the refusal to allow COPINH to participate as a victim, and the exclusion of the family and its representatives from the trial. The representatives stressed that the evidence in question which showed that the seven people who were convicted had acted as part of the criminal structure that was linked to DESA. They also claim that, to date, the Public Prosecutor's Office has not called upon those who masterminded the events to testify despite having had information on this since at least May 2016. The victims' representatives also raise questions around the protection measures that are in place, as did one of the beneficiaries of the precautionary measure who attended the hearing. They also claimed that DESA has continued to carry out different actions to dismantle COPINH. The representatives argued to eradicate the risk factor for beneficiaries it would be essential for the concession that the company had been granted to be revoked and for the criminal networks in question to be dismantled.

The Death Penalty in the Americas

The petitioners observed that despite recent progress toward abolishing the death penalty globally and regionally, it remains in force in the legislation of 15 of the 35 OAS states. The United States is the only country to have applied it in the last 10 years. They emphasized that the death penalty is an ineffective way of combating problems relating to citizen security and that it would have a disproportionate effect on people living in poverty. The petitioners also voiced concern over human rights violations on death row, mainly in connection with the use of indefinite solitary confinement. On the eve of the 30th anniversary of the adoption of the Protocol to the American Convention on Human Rights to Abolish the Death Penalty, the IACHR once more expressed its commitment to the abolition of the death penalty and to different initiatives that seek to promote the ratification of the above protocol. The IACHR also discussed some of the actions that it has taken through three different mechanisms to address this issue and expressed concern that the penalty would be applied in a discriminatory fashion against people of African descent.

Allegations of Impunity over Murders and Attacks on Human Rights Defenders in Colombia

The petitioner organizations put forward information on the structural impunity around crimes against human rights defenders in Colombia. They noted that approximately 160 defenders have been killed

since the signing of the Peace Agreement in November 2016. They also said that although the Attorney General's Office is working on a large number of cases, many others have been left out of these investigations. Furthermore, according to information from civil society organizations, only 8.5% of the murders of human rights defenders have been clarified. The state claimed that the National Protection Unit's programs currently, 4367 human rights defenders in the country. With regard to the allegations of impunity, it noted that the Attorney General's Office has initiated a targeted strategy to investigate crimes against human rights defenders. The state claimed that it has made progress on clarifying 55.5% of the murders of human rights defenders reported by the United Nations. The IACHR warned of the increase in violence against human rights defenders that it observed during its recent working visit to Colombia. It also asked the state about the progress it has made on convening the National Guarantees Committee and the strategy it is implementing to deal with those responsible for these crimes.

Regional Hearing: The Human Rights Situation of the People in the Migrant Caravan

The organizations that took part in the hearing observed that the "migrant caravans" reflect the day-to-day crises, violence, and widespread human rights violations being suffered in migrants' countries of origin (mainly Honduras and El Salvador). It is estimated that around 7000 people have decided to leave their countries to attempt to reach the United States. Civil society organizations, the National Human Rights Commission of Mexico, and the Office of the United Nations High Commissioner for Human Rights reported on security problems; the lack of humanitarian assistance; border management problems involving the use of force; deportations without an analysis of these migrants' need for international protection; obstacles to seeking asylum, including waiting lists in Tijuana and the United States' decision to only grant asylum to people crossing at authorized points; xenophobia and discrimination by authorities and the general population; as well as various abuses and violations of their human rights. The IACHR expressed its concern over this situation and once again urged states to guarantee people the right to seek and receive asylum and the right to nonrefoulement; to establish mechanisms to identify migrants' need for protection; and to provide humanitarian assistance to those in need.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for and to defend human rights in the region and acts as a consultative body to the OAS in this area. The Commission is composed of seven independent members who are elected in an individual capacity by the OAS General Assembly and who do not represent their countries of origin or residence.