

ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

(Resolution adopted at the eighth plenary session, held on June 7, 1996)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Inter-American Commission on Human Rights to the General Assembly (CP/doc.2731/96) and the presentation thereof by the Chair of the Commission, together with the observations and recommendations presented by the Permanent Council in regard to the Annual Report of the Inter-American Commission on Human Rights (AG/doc.3336/96 rev. 1); and

CONSIDERING:

That the member states of the Organization of American States (OAS) have proclaimed in the OAS Charter, as one of their principles, respect for the fundamental rights of the individual, without distinction as to race, nationality, creed, or sex;

That the Inter-American Commission on Human Rights, established at the Fifth Meeting of Consultation of Ministers of Foreign Affairs, held in Santiago, Chile, in 1959, has as its principal function, pursuant to the OAS Charter, to promote the observance and protection of human rights and to serve as a consultative body of the Organization in this respect;

That the ideal of a free human being, untrammelled by fear and poverty, can be attained only if conditions which allow all individuals to enjoy their economic, social, and cultural rights as well as their civil and political rights are created;

That women should be guaranteed the exercise, under equal terms, of their civil, political, economic, social, and cultural rights, as well as lives free of discrimination and violence;

That the international protection of human rights enhances or complements the protection offered by the internal law of the member states and is based on the attributes of the human being;

That effective exercise of representative democracy is the best guarantee of the full-fledged recognition of human rights; and

That there is a growing and healthy tendency on the part of the member states to incorporate the precepts of international treaties on human rights-in particular those in the American Convention on Human Rights-into their internal legal systems,

RESOLVES:

1. To take note of the Annual Report of the Inter-American Commission on Human Rights to the General Assembly (CP/doc.2731/96).
2. To urge the Inter-American Commission on Human Rights to continue promoting the observance and protection of human rights as recognized in the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights.
3. To recognize the work of the Inter-American Commission on Human Rights to protect and promote the observance and defense of human rights in the Hemisphere, and to urge the member states to continue

cooperating with and supporting the Inter-American Commission on Human Rights and to provide it with the resources it needs to fulfill its functions.

4. To urge the member states that have not yet done so to incorporate instruction on human rights into their education programs at the various levels and as widely as possible, in accordance with their internal legal systems.

5. To receive the observations and recommendations presented by the Permanent Council for consideration by the General Assembly and transmit them to the Inter-American Commission on Human Rights together with this resolution.

6. To take note of the comments and observations made by the member state governments on the annual report and the measures now being adopted by those states to strengthen the promotion, observance, and protection of human rights.

7. To note the progress achieved in the effective observance of human rights in the region, especially the measures currently being adopted by the member states to heighten the promotion, observance, and protection of human rights in their respective countries; and, at the same time, to express their concern over the persistence of situations that impinge on the full and effective exercise of human rights.

8. To urge the member states that have not yet done so to sign, ratify, or accede to, as appropriate, the American Convention on Human Rights or "Pact of San José, Costa Rica"; the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social, and Cultural Rights or "Protocol of San Salvador"; and the other inter-American instruments for the promotion and protection of human rights.

9. To recommend to the member states that they consider the possibility of accepting the compulsory jurisdiction of the Inter-American Court of Human Rights, in keeping with Article 62 of the American Convention on Human Rights.

10. To urge the member states to devote special efforts, pursuant to their laws, to eliminating all forms of discrimination against women, as a means of protecting their human rights.

11. To urge the member states to guarantee and exercise special vigilance with regard to the human rights of indigenous people, minors at risk, refugees, persons with disabilities, migrant workers and their families, detainees and prisoners, marginalized or minority groups, and victims of racial discrimination; to urge them to create conditions that will foster harmony and tolerance among those groups and all sectors of society; and to call upon the Inter-American Commission on Human Rights to continue paying special attention to these matters.

12. To reiterate the recommendation made to the Inter-American Commission on Human Rights in resolution AG/RES. 1112 (XXI-O/91) that it continue to cover in its annual report its activities to promote observance and awareness of human rights in the member states.

13. To instruct the Permanent Council to evaluate the workings of the inter-American system for the protection and promotion of human rights so as to initiate a process leading to its improvement, possibly by modifying the respective legal instruments as well as the methods and working procedures of the Inter-American Commission on Human Rights, for which it shall request the cooperation of the Commission and the Inter-American Court of Human Rights; and to instruct it to report to the General Assembly at its next regular session.

14. To urge the member states to continue cooperating with the Inter-American Commission on Human Rights in conducting on-site visits, pursuant to applicable provisions, given the importance of such visits to

the protection and promotion of human rights; and to express their appreciation to those states that have issued invitations to the Commission.

15. To promote dialogue between member states, between those states and the Inter-American Commission on Human Rights, and with experts in the field, so as to contribute to a process of reflection leading to improvement of the inter-American human rights system.

16. To recommend to the Inter-American Commission on Human Rights that it continue to give priority to adoption of the necessary measures to remedy the situation of persons held in custody awaiting trial and the overcrowding of prisons, and to request that the Commission present a report on these topics to the General Assembly at its next regular session.

17. To request the Inter-American Commission on Human Rights to continue to report on measures taken in response to the observations and recommendations of the Permanent Council that were transmitted by the General Assembly.

18. To urge the Inter-American Commission on Human Rights to continue attaching special importance to dialogue with the member states in regard to progress achieved in and difficulties that have impeded the observance of human rights.

19. To condemn vehemently all forms of racism, racial or religious discrimination, xenophobia, and intolerance and to urge the member states to take effective measures to promote tolerance and eliminate all forms of racist and discriminatory conduct.

20. To recommend to the Inter-American Commission on Human Rights that it include in its next annual report an evaluation of the situation of migrant workers and their families in the Hemisphere.

21. To urge the Inter-American Commission on Human Rights to establish a dialogue with the member state governments, indigenous organizations and communities, the Inter-American Indian Institute, legal experts, and government authorities with regard to the draft Inter-American Declaration on the Rights of Indigenous Peoples, so that the text of the draft declaration will reflect their concerns as well as the work of the United Nations in this area.