

## **CHAPTER II**

### **LEGAL BASES AND ACTIVITIES OF THE IACHR DURING 2006**

#### **A. Legal bases, functions and powers**

1. The Inter-American Commission on Human Rights (the "IACHR" or the "Commission") is an autonomous organ of the Organization of American States ("OAS") headquartered in Washington, D.C. Its mandate is prescribed in the OAS Charter, the American Convention on Human Rights (the "American Convention"), and the Statute of the Commission (the "Commission's Statute"). The IACHR is one of two bodies in the inter-American system responsible for protecting human rights, the other being the Inter-American Court of Human Rights, which is located in San José, Costa Rica.

2. The IACHR is composed of seven members who act independently, without representing any particular country. The members of the IACHR are elected by the General Assembly of the OAS for a four-year period and can be re-elected only once. The IACHR meets in ordinary and special sessions several times a year. The Executive Secretariat of the IACHR carries out the tasks delegated to it by the IACHR and provides legal and administrative support to the IACHR as it carries out its work.

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

4. By 1961, the IACHR had begun to carry out on-site visits to observe the human rights situations in various countries. Since that time, the IACHR has carried out 87 visits to 23 member States. Based in part on its on-site investigations the IACHR has published 62 country and thematic reports.

5. In 1965, the IACHR was expressly authorized to examine complaints or petitions regarding specific cases of human rights violations.

6. In 1969, the American Convention on Human Rights was adopted, and subsequently entered into force in 1978. As of December 2005, 24 member states were parties to the Convention: Argentina, Barbados, Brazil, Bolivia, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela. The Convention defines the human rights that the ratifying States have agreed to respect and ensure. The Convention also created the Inter-American Court of Human Rights and defines the functions and procedures of both the Commission and the Court. In addition to considering complaints of violations of the American Convention by states that are parties to that instrument, the IACHR is competent under the OAS Charter and the Commission's Statute to entertain alleged violations of the American Declaration by OAS Member states that are not yet parties to the American Convention.

7. The IACHR has the principal function of promoting the observance and the defense of human rights in the Americas. In carrying out its mandate, the Commission:

- a) Receives, analyzes and investigates individual petitions that allege human rights violations, pursuant to Articles 44 to 51 of the Convention, Articles 19

and 20 of the Commission's Statute, and Articles 22 to 50 of the Commission's Rules of Procedure.

- b) Observes the general human rights situation in the Member states and publishes special reports regarding the situation in a specific Member State, when it considers it appropriate.
- c) Carries out on-site visits to countries to engage in more in-depth analysis of the general situation and/or to investigate a specific situation. These visits usually result in the preparation of a report regarding the human rights situation observed, which is published and presented to the Permanent Council and General Assembly of the OAS.
- d) Stimulates public consciousness regarding human rights in the Americas. To that end, the Commission carries out and publishes studies on specific subjects, some of which are the subject of special rapporteurships, such as: the right to freedom of expression; the human rights situation of children and women; the human rights of indigenous peoples; and the protection of human rights in the struggle against terrorism.
- e) Organizes and carries out conferences, seminars and meetings with representatives of governments, academic institutions, non-governmental groups and others in order to disseminate information and to increase knowledge regarding issues relating to the inter-American human rights system.
- f) Recommends to the Member states of the OAS the adoption of measures that would contribute to human rights protection.
- g) Requests member states to adopt "precautionary measures" pursuant to Article 25 of the Commission's Rules of Procedure to prevent irreparable harm to persons in serious and urgent cases. The Commission may also request that the Inter-American Court order "provisional measures" in cases of extreme gravity and urgency to avoid irreparable damage to persons, even where a case has not yet been submitted to the Court.
- h) Submits cases to the Inter-American Court and appears before the Court in the litigation of cases.
- i) Requests advisory opinions from the Inter-American Court in accordance with Article 64 of the American Convention.

8. At present the Commission is processing over 1237 individual cases. Any person, group of persons or nongovernmental entity legally recognized in one or more of the member states of the OAS may submit petitions to the Commission concerning violations of a right recognized in the American Convention, the American Declaration or other pertinent instrument in accordance with their respective provisions and the Commission's Statute and Rules. The denunciation may be presented in any of the four official languages of the OAS (English, French, Portuguese or Spanish) and may be presented by the alleged victim of the violation or by a third party.

## **B. The Commission's Sessions in 2006**

9. During this reporting period, the Commission met on three occasions: during its 124<sup>th</sup> regular session, from February 27 to March 17, 2006; during its 125<sup>th</sup> special session, held in Guatemala from July 17 to 21, 2006; and during its 126<sup>th</sup> regular session, from October 16 to 27, 2006.

### **1. 124th regular period of sessions**

10. During its 124<sup>th</sup> regular session, the Commission elected its new board of officers which was comprised of Evelio Fernández Arévalos, President; Paulo Sérgio Pinheiro, First Vice-President, and Florentín Meléndez, Second Vice-President. Members Clare K. Roberts, Freddy Gutiérrez Trejo, Víctor Abramovich, and Paolo Carozza also sit on the Commission. Furthermore, the IACHR selected Ignacio Álvarez, a Venezuelan national, to be the Special Rapporteur for Freedom of Expression.

11. During its sessions the Commission noted some significant gains for human rights: the Supreme Court of Argentina annulled the laws called *Obedencia Debida* and *Punto Final*, ("Due Obedience" and "Final Stop") as recommended by the Inter-American Commission; broad constitutional reform took place in Chile, which removes obstacles for egalitarian political participation, also recommended by the IACHR; and agreements were signed and significant progress was made towards reaching a friendly settlement in cases involving Argentina, Bolivia, Brazil, Colombia, Ecuador, Guatemala, and Mexico. In Peru, a National Human Rights Plan was adopted, whose implementation will benefit from a technical assistance agreement signed during the Commission's sessions between the IACHR and the Ministry of Justice of that country. Regulatory progress has been made for the human rights of women, such as the adoption of the Family Violence Law in Chile, and Jamaica's ratification of the Inter-American Convention to Prevent, Punish, and Eradicate Violence against Women, the "Belem do Pará Convention." In Mexico, a National Program for Human Rights, approved at the end of 2004 was implemented. Also, in Brazil, constitutional reform was approved that seeks to modernize the judicial system and expand the judicial mechanisms available to prevent impunity for violations of human rights, and the government instituted significant changes in that country in terms of racial equality. The government of Uruguay has attained concrete results in locating and identifying persons who were disappeared during the military dictatorship. And other States have acknowledged their responsibility before both the Commission and the Inter-American Court of Human Rights, which is a clear example of the continuously increasing legitimacy and effectiveness of the inter-American system.

12. The Commission also reflected on the apparent challenges that exist in our Hemisphere to its mission of fostering respect for fundamental human rights, which is a priority area to be addressed. People and governments continue to face threats to their security stemming from terrorism, drugs, trafficking in persons, gang violence, and common crime. Frequently, some of the responses to these threats do not sufficiently consider its consequences on human rights, and the most vulnerable and disadvantaged people in our societies are often harmed by the security measures adopted by States. These issues are complicated by the fact that large segments of the population in the region continue to suffer from inadequate standards of living, malnutrition, substandard health care and education, while democratic institutions continue to be weak in several countries of the Hemisphere.

13. During the sessions, the Commission continued its practice of holding meetings with various regional groups. On this occasion, it met with the Permanent Representatives of the member states of Central America to have an exchange of information on human rights in that subregion.

14. During its internal working sessions, the Commission devoted special attention to the study and review of petitions and cases involving various States of the Hemisphere, and to analyzing what it considered to be priority situations. Regarding the system of individual cases, the approved reports include 27 on admissibility, 3 of inadmissibility, 15 on the merits, 8 friendly settlements, and 16 to be archived. Pursuant to its mandate of preparing studies and reports and drawing up recommendations for the States to foster proper respect for human rights, the Commission discussed and approved a "Report on the Situation of Human Rights Defenders in the Americas." The report stresses, among other things, the legitimacy of the work that human rights defenders perform to promote and protect human rights. While their work assists States in fulfilling what is essentially a State obligation to protect human rights in general, it generates special obligations for the State to protect those who promote and protect these rights.

15. Between March 3 and 13, 2006, the IACHR convened 61 hearings concerning individual petitions and cases, precautionary measures, and general and specific situations of human rights in various countries and regions. The hearings on individual cases and petitions focused on issues of admissibility, merits, friendly settlement, and follow-up. The hearings on general matters took in information on the situation in Bolivia, Colombia, Guatemala, Haiti, Mexico, Peru, and Venezuela. There were also hearings on the State's obligation to investigate and prosecute alleged violations of human rights that are international crimes; the situation of persons affected by mandatory minimum sentences in the United States; the situation of justice in Nicaragua; and economic, social, and cultural rights in Brazil.

16. Also, during the sessions more than 40 working meetings were held with various countries. The meetings covered various cases and petitions, principally those at the stage of friendly settlement or follow-up, as well as precautionary measures. The matters addressed within this framework were related to Argentina, Bolivia, Chile, Colombia, Honduras, Mexico, Nicaragua, Paraguay, Peru, and Venezuela.

17. The subject areas on which the Commission received information during this session included such particularly vulnerable groups as indigenous peoples, women, persons deprived of their liberty, migrant workers, and children and adolescents. In particular, the Commission received general information on the rights of the indigenous peoples of Mesoamerica. Regarding women's rights, the Commission received information on the problem called "feminicide" or "femicide" at various locations in the Americas. It also examined the situation of displaced women in Colombia, and the need for a public policy to address the specific needs of this group of women.

18. Regarding conditions of detention, the Commission received information on the situation of persons deprived of their liberty in the Province of Buenos Aires, Argentina. Likewise, there was also a hearing about the situation of persons deprived of their liberty in El Salvador. In addition, the Chilean State presented information in a hearing regarding the rights of persons deprived of their liberty in that country and about the various initiatives that are being adopted to reduce and eliminate the overcrowding of detention centers.

19. The situation of migrant workers and their families was addressed in three hearings. One was on human rights and natural disasters in the Hemisphere, and the effects of State actions on the population of migrant workers. The second was on the situations created by Immigration Law No. 285-04 in the Dominican Republic, and its effect on the Haitian-Dominican population. The third was on migrant workers in Costa Rica.

20. The situation of children and child labor in Latin America was also addressed in a hearing.

## **2. 125th special session**

21. In response to an invitation from the Government of Guatemala, the Inter-American Commission held its 125<sup>th</sup> session from July 17 to 21 in Guatemala. On that occasion the Commission held protocol meetings with the President of the Republic, Oscar Berger Perdomo, the Vice-President of the Republic, Eduardo Stein, and other high-ranking State authorities. It convened 10 hearings on important issues and situations on the human rights agenda of Central America, and held two days of closed meetings. In tandem with the session, the members of the Commission participated in several activities to promote the Inter-American system of human rights.

22. Holding a session away from headquarters was essential in allowing the Commission to have a direct dialogue with government officials of one of the member states in their own territory, as well as important players in civil society. This strengthened the Commission's role of promoting and teaching about human rights. The Commission also had the opportunity to hold two hearings on individual cases, as well as nine general or thematic ones. The latter afforded a great opportunity to discuss matters of interest to various organizations in Central America. For them, the presence of the IACHR in their region made it much more accessible, which would have otherwise been very difficult in light of scant resources. The Commission in particular received information regarding such issues as the free trade agreements and human rights; the status of collective property rights of indigenous peoples regarding land and natural resources; the situation of community media; intra-family or domestic violence; and persons affected by open-air mining concessions. Hearings were also held on situations in specific countries, such as that of women deprived of their liberty in Honduras; obstacles to the investigation and punishment of human rights violations in El Salvador; trade union rights in El Salvador; and the human rights of *campesino* and indigenous communities in Honduras.

23. During its internal meetings held in Antigua, the Commission approved a total of 18 draft reports on individual cases: one on publication, 3 reports pursuant to Article 50, 7 reports on admissibility, and 7 decisions to archive cases.

## **3. 126th regular period of sessions**

24. During the two weeks of the 126th session intensive work was done, particularly regarding the examination and review of petitions and cases regarding the various States of the Hemisphere. The approved reports include 17 on the merits, 23 on admissibility, 11 on inadmissibility, 2 friendly settlements, and 4 cases to be archived. The Commission held 48 hearings on pending individual cases and petitions, and on general situations of human rights in several States of the Hemisphere. It also approved amendments to its Rules of Procedure and to its rules for the designation of special rapporteurs.

25. At the end of the session, the Commission published its assessment of achievements and challenges in the region regarding respect for human rights. Regarding achievements, the Commission pointed out that in the area of political rights and the exercise of democracy, presidential elections were held in 12 countries of the region over the course of the past year, which is an important sign of stability. It also expressed its satisfaction with the remarks of the President of Chile, stating that his State would comply with the judgment of the Inter-American Court of Human Rights regarding non-applicability of the amnesty law for violations of human rights committed during the military dictatorship. The Commission expressed satisfaction with the pronouncement by the Supreme Court of Argentina that it would comply with the provisional measures of the Inter-American Court of Human Rights, in acknowledgement of the serious situation faced in the penitentiary system of the Province of Mendoza. In addition, the Commission noted Bolivia's ratification of the Additional Protocol to the American Convention on Human Rights in the

Area of Economic, Social, and Cultural Rights. Pleasure was expressed with Brazil's considerable progress in adjusting its domestic legislation to international standards regarding punishments under the Law on Domestic and Family Violence against Women. Progress was seen in Ecuador, where the Constitutional Court declared the practice of "*detención en firme*," to be unconstitutional, when it is used to prolong preventive detention beyond the limit allowed under the Constitution. Finally, the opening of nine new penitentiaries in the Dominican Republic has improved the situation of a sizeable number of persons deprived of their liberty.

26. The Commission confirmed that there continue to be challenges in promoting respect for human rights in the Hemisphere. A complex issue which the Commission is following with special interest is that of the relationship between citizens' security and human rights in the Americas. In fact, the populations of the region continue to face threats to their security stemming from terrorism, drugs, trafficking in persons, gang violence, and common crime. The Commission reaffirmed its commitment to prepare a hemispheric study on the relationship between citizen's security and human rights. The Commission also pondered the lack of full enjoyment of economic, social, and cultural rights in the region, particularly because of the high levels of malnutrition, limited or insufficient access to health care and education, and inadequate standards of living. During this session the Commission discussed the first draft of a proposal for progress indicators in the area of economic, social, and cultural rights. It instructed Commission member Victor Abramovich to revise the document and follow-up on the process. Regarding the situation of respect for human rights throughout the member states, the Commission decided to pay special attention to the situation in Colombia, Cuba, Haiti, and Venezuela.

27. Forty-eight hearings were held between October 18 and 26, 2006 on individual cases and petitions, precautionary measures, and general and specific human rights situations. During these hearings, general information was received on the situation in Cuba, Chile, Haiti, and Venezuela. Likewise, hearings were convened on specific topics or situations regarding member states of the Organization. The information the Commission received on Colombia included the process of demobilization of the illegal armed groups, and extrajudicial executions within the framework of a policy of democratic security. Regarding Peru, the Commission learned about the implementation of the National Human Rights Plan, and follow-up on the recommendations of the Truth and Reconciliation Commission (CVR). Regarding Guatemala, information was received on a process to create a National Commission to Search for Disappeared Persons. The Commission learned about slave labor in Brazil, and regarding Venezuela, hearings were held on the status of freedom of expression, institutions and guarantees, and human rights defenders. Information was also received on the social conflict that has occurred in the state of Oaxaca, Mexico, agrarian policy and indigenous rights in Chiapas, Mexico, and on the performance and future of the Special Prosecutor for Social and Political Movements of the Past (FEMOSPP), also in Mexico. Additionally, hearings were held on the human rights situation of people who live near the border between Ecuador and Colombia.

28. The thematic issues that the Commission examined during this session included various aspects of the status of women. Hearings were held on: the situation of indigenous women in the Americas and the effects of dual discrimination based on gender and ethnicity; the women of Ciudad Juárez, Chihuahua, and the measures implemented by the Mexican government to handle violence against women; and violence against women in the Dominican Republic. There were also hearings on trends in judicial interpretations of issues related to women's rights—specifically their sexual and reproductive health—in national and regional courts, and in regional and international mechanisms.

29. Regarding the rights of persons deprived of their liberty, the Commission heard about adolescent detainees in Uruguay, and the situation of children living in group homes and safe houses

in Jamaica. Additionally, a hearing was held to present the Commission with information on women deprived of their liberty in Argentina, Bolivia, Chile, Paraguay, and Uruguay.

30. Regarding the rights of children, the Commission received information on adolescents and violence in Guatemala, as well as on the rights of children in Uruguay.

31. During the week of hearings, 23 working meetings were held relating to different countries. The meetings covered various cases and petitions, primarily those at the stage of friendly settlement or follow-up, as well as precautionary measures. The issues addressed referred to Argentina, Bolivia, Chile, Colombia, Guatemala, Mexico, Paraguay, and Peru.

32. Executive Secretary Santiago A. Canton also participated in a working meeting with human rights defenders, which was attended by several representatives of civil society organizations in the Americas.

33. Also, during this session the Secretary General of the OAS, José Miguel Insulza, presented the "Report on the Situation of Human Rights Defenders in the Americas." Furthermore, as part of its promotional functions on human rights, the IACHR organized, together with the Human Rights International Service and the Washington College of Law, a training course for NGO members.

### **C. On-site visits**

#### **Haiti**

34. As part of its promotional activities, the Commission participated in a seminar in Haiti in May on the inter-American human rights system and the United Nations system for the protection of human rights. Approximately 50 people attended: members of human rights groups, journalists, and members of the Haitian National Police. The seminar was a joint effort, organized by the International Service for Human Rights in Geneva, and coordinated by the *Réseau National de Defense des Droits des Humains* in Port-au-Prince. The objective was to explain to participants how to access the inter-American human rights system, and the explanation was illustrated with practical exercises.

35. An observation visit to Haiti was conducted on December 11th. The purpose was to gather information on the different forms of violence perpetrated against women and girls, the system of justice's response to such acts, and the problem of impunity. The delegation met with national authorities and civil society organizations.

#### **Colombia**

36. On February 8, 2006 a delegation of the Executive Secretariat went to Bogotá to follow-up on the process of demobilization in Colombia, pursuant to the mandate given in Resolution 859 (1397/04) of the Permanent Council of the OAS, which invited the Inter-American Commission on Human Rights to provide advisory services to the MAPP/OEA. During the visit, the delegation met with Claudia Pérez de Vargas, Deputy Chief of Mission of the MAPP/OEA, and other staff performing verification functions on site, so as to exchange information on issues related to the advisory services mandate. This visit was conducted with financial backing from the Government of Sweden.

37. Another monitoring visit was conducted on March 2. A delegation from the Executive Secretariat went to the city of Valledupar to observe the circuit court session held prior to

the formal demobilization of the irregular force *Bloque Norte de las Autodefensas Unidas de Colombia*.

38. From April 24 to 27, a Commission delegation headed by the Rapporteur for Colombia, Commission member Victor Abramovich, visited the city of Apartadó, Colombia. During his stay, the Rapporteur observed the second phase of the demobilization of the *Bloque Élder Cárdenas*, an illegal armed group that operated in the Urabá area. The Rapporteur met with authorities involved in identifying demobilized individuals and dispensing benefits to them. He also met with staff of the MAPP/OEA Mission involved in verification tasks. Additionally, he met with residents of the area affected by the armed conflict, as well as authorities from the mayor's office of Apartadó.

39. On May 8 Rapporteur Abramovich made an observation visit to Colombia. He met with authorities of the national government in Bogotá, with the staff running the office of the MAPP/OEA Mission in Colombia, and with members of the international community, civil society organizations, and inter-governmental organizations.

### **Bolivia**

40. At the invitation of the government of Bolivia, the Inter-American Commission of Human Rights conducted an on-site visit to Bolivia from November 12 to 17, 2006, in order to observe the general situation of human rights in that country. During the visit, the Commission met with high ranking authorities in the government and with various civil society organizations. The Commission also visited the Chonchocorro, San Pedro, and *Orientación Femenina Obreros* penitentiaries. The IACHR delegation consisted of Commission members Evelio Fernández Arévalos, President; Florentín Meléndez, Second Vice President and Rapporteur for Bolivia; and Victor Abramovich. They were joined by Santiago Canton, Executive Secretary; and staff members of the Executive Secretariat.

41. Regarding the system of individual cases, working meetings were held on petitions, cases, and precautionary measures being processed before the Commission, with the participation of representatives of the State, petitioners, and victims. The Commission expressed its satisfaction over the willingness expressed by the parties in some of these matters to begin the process of friendly settlement, as well as the State's expressed commitment to comply with the precautionary measures discussed. The Commission announced that it will follow up on these matters, and will continue to pay close attention to developments in the human rights situation of Bolivia. Upon concluding its visit, the Commission offered a conference on the inter-American system of human rights.

### **Dominican Republic**

42. From August 7 to 13 a visit was made to the Dominican Republic, led by Commission member Florentín Meléndez, Special Rapporteur on the Rights of Persons Deprived of their Liberty.

43. The visit was made in response to an invitation by the Government of the Dominican Republic to verify the situation of persons deprived of their liberty in various jails in the country. Meetings were held with authorities of the Dominican State and civil society organizations related to the issue. Promotional activities on the Inter-American human rights system were also held.



## **Brazil**

44. During his visit to Brazil from September 20 to 22, 2006, which was limited to the state of São Paulo, the Special Rapporteur on the Rights of Persons Deprived of their Liberty verified the situation of persons deprived of their liberty that benefit from the provisional measures ordered by the Inter-American Court of Human Rights.

## **Argentina**

45. From December 1 to 9 a working visit was made to Argentina, led by Commission member Florentín Meléndez, who was joined by Santiago Canton, Executive Secretary; and staff members of the Executive Secretariat. During the visit, the Rapporteur met with senior officials in the Federal and Provincial Penitentiary Services. He also met with members of civil society organizations that have been working on the issue at detention centers in the Province of Buenos Aires.

46. Meetings were also held with authorities at the Foreign Ministry of Argentina to discuss various topics of interest to that country.

## **Peru**

47. Commission member Paolo Carozza, Rapporteur for Peru, along with Santiago Canton, Executive Secretary, and staff members of the Executive Secretariat, made a working visit to Lima from December 11 to 14, 2006. He met with the President of the Republic, Alan García, and other high ranking officials in the Peruvian government, as well as a broad array of civil society organizations, organizations of Afro-descendants, and organizations of indigenous communities. Finally, he met with academics and former members of the Truth and Reconciliation Commission.

48. Finally, it bears mention that as part of the celebration of International Human Rights Day, Rapporteur Carozza presented a report on the situation of human rights defenders in the Americas.

## **D. Activities of the Special Rapporteurships**

### **1. Rapporteurship on the Rights of Indigenous Peoples**

49. During 2006 the Rapporteurship on the Rights of Indigenous Peoples continued its activities, supported by the individual case system, promotion efforts, and the assistance of the member states of the Organization. In particular, the Rapporteurship cooperated in the processing of petitions on the rights of indigenous peoples, and it participated in the special session of the Commission held in Guatemala, as well as in seminars held in Costa Rica, Mexico, Canada, and Chile.

50. The Rapporteurship also continues to advise the chairman of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples. In this regard, it reiterated its recognition of the efforts made by member states of the OAS and the representatives of the indigenous peoples of the Hemisphere in the process of negotiating the draft. In that vein, the Commission reiterated that the Universal Declaration of the Rights of Indigenous Peoples, approved on June 29, 2006 by the United Nations Human Rights Council, should enrich the debate within the OAS Working Group, as it constitutes a minimum standard for the Group's work.

51. The bodies of the system for the protection of human rights have developed progressive jurisprudence, which recognizes the collective rights of indigenous peoples. The

Commission reiterated its concern over problems in compliance with its recommendations, and with the judgments and provisional measures of the Inter-American Court in cases in which the victim is an indigenous group. In this regard, the Commission urged the States to make a special effort to comply with decisions that affect indigenous peoples, as this not only acknowledges, protects, and offers reparations to a group of people, but also shows respect for a special way of life.

52. The Rapporteur also issued a special plea to the member states of the OAS to recognize and respect the right of indigenous peoples to their cultural identity, which is closely tied to their ancestral lands and the resources found therein, not only because it is their main means of subsistence, but also because it is an integral component of their worldview. In this vein, the Rapporteur expressed appreciation for the actions that several States have taken to give legal recognition to indigenous peoples' claims to their traditional lands. However, concern was expressed over the weak protections afforded to the indigenous groups, which leaves them permanently vulnerable to outsiders interested in the natural resources found on indigenous peoples' land.

53. During 2006 the Commission issued precautionary measures to protect indigenous peoples living in voluntary isolation, and to protect the ancestral lands and sacred sites of indigenous peoples whose rights are threatened. Several reports were approved during the session regarding the rights of indigenous peoples, and various hearings were held which examined such issues as the effects of displacement and economic and agrarian policies on the indigenous peoples of the Hemisphere. The Commission also had the opportunity to receive information through a hearing on the situation of indigenous women in the Americas, which analyzed the effects of dual discrimination or dual violations of the rights of indigenous women.

54. Finally, the Commission announced the implementation for a third time of the fellowship for indigenous attorneys conducting professional practice in the IACHR for one year. In 2006 the attorney selected was Ana Manuela Ochoa, a member of the Kankuamo indigenous group in Colombia.

## **2. Rapporteurship on the Rights of Women**

### **Introduction**

55. Over the past two years, the rapporteurship's work program has focused on a priority area for women's rights in the Americas: how to ensure women have effective access to the system of justice, particularly when they have suffered acts of violence or discrimination. The importance of this work has been well proven in the thematic work of the rapporteurship, and in the Commission's case system and country reports. The rapporteurship's starting point has been expeditious access to effective judicial protections and guarantees, as the first line of defense for the protection of basic rights. A problem is also seen in that the victims of violence and gender discrimination often do not obtain access to that protection, and their rights are thus vulnerable.

### **Results of work in the area of women's access to justice**

#### **a. Access to Justice: the situation of women who are victims of violence**

56. With the support of the government of Finland, in 2006 the Rapporteurship prepared a thematic report which offers a diagnosis of the main obstacles women face when they try to access resources, guarantees, and judicial protections to remedy acts of violence, including the problem of impunity. It offers some conclusions and recommendations so that States can act with due diligence to offer an effective and timely judicial response to such incidents.

57. The report's analysis includes the results of a process of gathering information from various sectors, including the system of justice, government officials and representatives, civil society, the academic sector, and women of different races, ethnic groups, and socio-economic standings. This information gathering was conducted by the Rapporteurship with financial support from the government of Finland, and was complemented by information on the work done by the IACHR in this area, including jurisprudence, thematic hearings held at headquarters, thematic reports, chapters on women within country reports, and on-site visits organized by both the Commission and the Rapporteurship.

58. The report concludes that despite States' formal and legal recognition that violence against women is a priority issue, there is a major gap between the prevalence and gravity of the problem, and the quality of judicial response offered. The Commission acknowledges the efforts made by States to adopt a legal and political framework to address violence against women. However, it observed that much still needs to be done to go from formal availability of certain resources to their effective application. This situation not only creates a feeling of insecurity, vulnerability, and mistrust of the system of justice on the part of the victims, but the context of impunity perpetuates violence against women as something to be accepted in the societies of the Americas, to the detriment of human rights.

**b. Women and violence and discrimination stemming from the armed conflict in Colombia**

59. The Rapporteurship on the Rights of Women published a thematic report on the impact of the armed conflict on Colombian women. The report covers the main manifestations of violence against women that are aggravated by the armed conflict, such as: physical, psychological, and sexual violence; forced displacement; forced and voluntary recruitment; the imposition of social control measures by illegal armed groups on the populations and territories under their control; and the particularly critical situation of indigenous and Afro-Colombian women.

60. The report is based on observations made during an on-site visit which the Rapporteurship on the Rights of Women made from June 20 to 25, 2005 to the Republic of Colombia. The main objective of the visit was to evaluate the impact of the armed conflict on Colombian women, and to receive information on legislative, political, institutional, and judicial measures adopted by the State to protect women's rights within this socio-political context. The delegation visited the cities of Bogotá, Valledupar, and Quibdó, where it met with government authorities, as well as several victims and relatives of victims, civil society organizations—including indigenous and Afro-Colombian organizations—and with inter-governmental agencies tied to the defense and promotion of women's rights. The report is also based on information gathered by other official entities and inter-governmental and non-governmental organizations.

61. The report discusses how players in the armed conflict use various forms of physical, psychological, and sexual violence to "hurt the enemy." They dehumanize the victim and harm the family unit and/or spread terror in the community, all for the purpose of gaining control over territory and resources. The report's recommendations are geared toward designing a comprehensive government strategy which takes into account the manifestations of discrimination and violence that affect women, which are accentuated by the armed conflict. The hope is that this will promote progress in the diagnosis, prevention, and response to such problems, as well as place the specific needs of women on the public agenda.

62. The report also urges the State to implement measures to eradicate socio-cultural patterns that discriminate on the basis of sex, race, ethnicity, and social class; and to take these differences into account when developing public policies to mitigate the pernicious effects of the armed conflict on Colombian women throughout the national territory. There are two kinds of

recommendations: general recommendations and recommendations by category of care and response. The latter includes aspects regarding legislation, public policies, state programs and institutions, diagnosis and prevention, public services for displaced women, the administration of justice, civic and political participation, and truth, justice, and reparations.

**c. The situation of women in Guatemala and Haiti**

63. The Rapporteurship on the Rights of Women is currently preparing two thematic reports based on its on-site visits to Guatemala and Haiti. Two visits were made to Guatemala, the first in 2004 and a second follow-up visit in 2006. The purpose was to investigate and obtain accurate information on the situation of discrimination and violence against women, assess the effectiveness of prevention policies and institutions, and determine the obstacles that victims and their families face in accessing the system of justice. Additionally, members of the Rapporteurship on the Rights of Women participated in the Commission's observation visit to Haiti in December of 2006. The group gathered information on the various forms of violence perpetrated against women and girls, how the system of justice responds to such acts, and the problem of impunity. Two reports analyzing the results of the visits will be published in 2007.

**Additional activities**

64. Additionally, the Rapporteurship continued to provide technical support for the processing of individual petitions and precautionary measures. Also, on January 5, the Rapporteurship issued a press release celebrating Jamaica's ratification of the Convention of Belém do Pará. On August 11 the Rapporteurship celebrated Brazil's adoption of Law 11,340, which includes a set of government actions to prevent, investigate, and punish domestic and family violence against women and its different manifestations. It is called the *Maria da Penha Law*, after a decision by the IACHR.

65. The Rapporteurship also participated in several promotional activities, such as the "International Seminar on Femicide Violence: Bridge to the Future;" the 4<sup>th</sup> Meeting of the Inter-Parliamentary International Dialogue from July 13 to 14, 2006 in the Chamber of Deputies of Mexico, organized by the Special Committee to Examine and Follow-Up on the Investigations regarding Femicides; and the inter-agency dialogue organized by the World Bank titled: Poverty as a Framework for Women's Rights, held October 31, 2006.

**3. Special Rapporteurship on the Rights of Children**

66. In 2006 the Rapporteurship on Children continued its activities to promote the rights of the children of the Hemisphere.

67. The activities of the Rapporteurship on Children included visits to the member countries of the OAS, analysis of cases and precautionary measures, and participation in thematic hearings and in conferences and seminars related to the rights of children and adolescents. The Special Rapporteur on Children, Commission member Paulo Sérgio Pinheiro, visited the Republic of Paraguay in April of 2006 at the invitation of the Government of that country. During the visit the Rapporteur gathered information on the situation of street children in Ciudad del Este (a town in the interior of the country, near the border with Argentina and Brazil). Additionally, the Rapporteur met with street children, with human rights organizations that work on issues related to the rights of children and adolescents, and also with the Minister of Foreign Affairs, the Supreme Court, and various local and national authorities.

68. Additionally, the Rapporteur on Children actively participated in various hearings related to the rights of children and adolescents. The Commission listened carefully to information

regarding indices of violence, murder, and lack of judicial protection for children and adolescents in various countries of the region. Cognizance was also taken of the situation of children and child labor in the Central American countries. The organizations that appeared in the various hearings expressed concern over the multiple violations of the human rights of children and adolescents in the Americas. Furthermore, hearings were held on the situation of juvenile offenders in various countries of the Hemisphere.

69. In October of 2006 Commission member Paulo Sérgio Pinheiro in his capacity of United Nations independent Expert, presented to the Committee on Juridical and Political Affairs of the OAS the study on Violence against Children "Secretary General's Study on Violence against Children and youth – What can the Americas do?." He also presented several recommendations to the member states for handling this problem. During his presentation, the Rapporteur was accompanied by the Assistant Secretary General of the Council of Europe, Maud de Boer-Buquicchio. In November of that year the Rapporteur also participated in the regional launching of the worldwide Study of Violence against Children in Panama.

70. Furthermore, the Rapporteur participated in two events organized by the National Juvenile Defender Center at Georgetown University Law Center which were related to the inter-American system for the protection of the human rights regarding juvenile offenders.

71. Finally, it bears mention that the Commission signed an agreement with the Inter-American Development Bank to strengthen the activities of the Rapporteurship on Children. This will continue to be implemented in 2007, which allows the Rapporteurship to expand its activities.

#### **4. Special Rapporteurship on the Rights of Persons Deprived of their Liberty in the Americas**

72. In 2006, the Special Rapporteur on the Rights of Persons Deprived of their Liberty, Commission member Florentín Meléndez, continued to participate in numerous promotional activities, to conduct on-site observations, and to provide advisory services to the member states. The Rapporteur also publicly expressed his concern over recurring incidents that have been affecting the life, dignity, and right to humane treatment of persons deprived of their liberty in the Americas.

73. First, the Rapporteur participated in several events aimed at establishing a closer dialogue and cooperation with the representatives and officials of the member states. In that vein, the Rapporteur made two presentations to the Committee on Juridical and Political Affairs (CAJP) of the Organization of American States, in March and October of 2006 while the Commission was in session in Washington, D.C. Rapporteur Meléndez also participated in the Sixth Meeting of Ministers of Justice and Attorneys General of the Americas (REMJA-VI) held in Santo Domingo, Dominican Republic on April 24, 2006, during which he gave a presentation on best practices and penitentiary reform in the Hemisphere. Finally, the Rapporteur taught classes at the II Specialized Course for foreign ministry and government officials on the use of the inter-American system for the protection of human rights, sponsored by the Inter-American Court, the IACHR, and the Inter-American Institute for Human Rights from September 26 to October 3, 2006 in San José, Costa Rica.

74. In 2006 massive acts of violence, uprisings, and hunger strikes occurred in the jails of different countries of the region, often at the cost of numerous human lives. Consequently, the Rapporteurship issued some press releases, and on several occasions solicited information from the States on measures adopted to guarantee the life and humane treatment of persons deprived of their liberty, as well as urging exhaustive investigations of the incidents, so as to establish criminal or administrative liability and guarantee that such acts are not repeated. The Rapporteur reiterated the need for the authorities to adopt effective preventive measures to address the precarious

conditions in many of the penitentiary systems in the region, particularly the high rates of overcrowding and cruel, inhumane, or degrading treatment.

75. Additionally, the Special Rapporteur traveled to several countries of the region, including the Dominican Republic, Brazil, Bolivia, and Argentina to observe first-hand the detention conditions of persons deprived of their liberty in those countries. The Commission is grateful to the Governments of the Dominican Republic, Brazil, Bolivia, and Argentina for all the support and facilities provided to ensure the success and independence of the visits.

76. During his trip to the Dominican Republic from August 8 to 12, 2006, the Special Rapporteur visited the Higüey Public Jail, the La Victoria National Penitentiary, and the Center for the Comprehensive Care of Juvenile Offenders. He also visited detention centers whose facilities and administrative and disciplinary system are part of the new penitentiary model. This includes the Dajabón, Puerto Plata, Rafey Mujeres, Rafey Hombres, and Najayo Mujeres Correction and Rehabilitation Centers, as well as the Monte Plata Model Jail. During his visit the Rapporteur met with senior authorities in the penitentiary system. He led a workshop on the rights of persons deprived of their liberty, and on the inter-American system for the protection of penitentiary system personnel at the Penitentiary School. He also met with members of civil society organizations, for whom he gave a workshop on the rights of persons deprived of their liberty and the inter-American system's protection mechanisms.

77. During his visit to Brazil from September 20 to 22, 2006, which was limited to the state of São Paulo, the Rapporteur verified the situation of persons deprived of their liberty on whose behalf provisional measures were ordered by the Inter-American Court of Human Rights. In that context, the Rapporteur visited the Tatuapé Internment Center for Juvenile Offenders, run by FEBEM (*Fundação Estadual do Bem-Estar do Menor de São Paulo*). The purpose was to conduct on-site follow-up on compliance with the provisional measures granted on behalf of children and youth deprived of their liberty in that detention center. The Rapporteur also visited the Dr. Sebastião Martins Silveira Penitentiary (Araraquara Penitentiary) and Serra Azul Penitentiary I in order to gather information and interview the beneficiaries of said measures and their families, and thus provide the Inter-American Court with information on that situation for a subsequent hearing. On September 30, 2006, the Inter-American Court issued a Resolution on Provisional Measures on behalf of persons deprived of their liberty at the Araraquara Penitentiary. During his visit, the Rapporteur also met with representatives of the beneficiaries of both provisional measures, with representatives of the Federal Government, and with senior authorities in the Government of São Paulo.

78. The on-site observation in Bolivia took place from November 12 to 17, 2006 during the Commission's visit to that country. Rapporteur Meléndez visited various detention centers from November 12 to 14 in order to witness prison conditions and respect for the rights of persons deprived of their liberty. First he visited the Chonchocorro maximum security prison in the city of El Alto. On November 14, the Rapporteur visited the San Pedro Jail and the Orientación Femenina Obrajes Center, both in La Paz. During the jail visits he interviewed inmates and their families, petitioners in cases before the Commission who are deprived of their liberty, and penitentiary staff. The Rapporteur and other members of the Commission also held meetings on prison issues with the Director General of the Penitentiary System, spokespersons of the Supreme Court, the Attorney General, the Vice-Minister of Government, and various civil society organizations that defend the rights of persons deprived of their liberty.

79. The visit to Argentina, which was limited to the Province of Buenos Aires, was from December 3 to 5, 2006. On December 3, Rapporteur Meléndez conducted on-site observations of the Lomas de Zamora 10 and Esteban Echeverría 3 Police Stations. On December 4, the Rapporteur visited Units 36 and 28 of the Magdalena Complex, the Villa Devoto Penitentiary, Women's Unit 31 of the Ezeiza Complex, and Unit 20 of the Borda Men's Psychiatric Service. During the visit the

Rapporteur also met with senior authorities in the federal and provincial penitentiary services, and with members of civil society organizations that work on detention centers in the Province of Buenos Aires.

80. The Special Rapporteur also served as a delegate of the Commission to public hearings on provisional measures and contentious cases relating to the rights of persons deprived of their liberty in several countries, including: Provisional Measures at the Penitentiaries of Mendoza, Argentina, and the case of Vargas Areco vs. Paraguay, held in Brasilia, Brazil on March 30, 2006; the case of Hugo Juarez Cruzatt vs. Peru regarding the Castro Castro prison, held on June 26 and 27, 2006 in San Salvador, El Salvador; and the hearing on Urgent Measures at the Araraquara, Brazil Penitentiary held in San José, Costa Rica on September 28, 2006.

81. Finally, the Rapporteur advanced the process of consultation on the Draft Declaration of Principles on the Protection of Persons Deprived of their Liberty in the Americas. This draft declaration seeks to promote the use of principles recognized in the various international instruments to protect the rights of persons deprived of their liberty, as well as new principles that are emerging in this area from the jurisprudence of the inter-American system of human rights.

82. On July 17, 2006 the Commission sent a questionnaire to the 34 member states of the OAS and to more than 60 civil society organizations, including international, regional, and national organizations in the member states of the OAS. As of December 2006, the Commission had received replies from the governments of Guatemala, Honduras, Mexico, Nicaragua, Colombia, Costa Rica, and Argentina; and from such international and regional organizations as the International Committee of the Red Cross, the United Nations Special Rapporteur on Torture, the International Centre for Prison Studies, the Human Rights Centre at Essex University, Amnesty International, the Center for Justice and International Law, and Mental Disability Rights International; and from civil society organizations in Argentina, Bolivia, Brazil, Chile, Colombia, Jamaica, Paraguay, Peru, the United States, and Uruguay.

83. The Draft Declaration is now being revised on the basis of analysis of the comments submitted by the aforementioned member states and civil society organizations. The Rapporteur expects to submit the draft to the seven members of the Commission for their approval during the next session.

## **5. Special Rapporteurship on the Rights of Afro-Descendants and against Racial Discrimination**

84. The Rapporteurship on the Rights of Afro-Descendants and to Fight Racism and all Forms of Discrimination continued its work in 2006, and participated in several meetings in the Americas. Rapporteur Clare Roberts attended the International Conference of African and Diaspora Intellectuals held in Salvador, Bahia, Brazil. The Rapporteur also participated in the Regional Conference of the Americas on accomplishments and challenges in the program of action against racism, racial discrimination, xenophobia, and related forms of intolerance held in Brasilia, Brazil. These are two very important forums for debate on ways to combat racism and to develop strategies to help implement public policies to reduce social inequalities that have resulted from racism.

85. During the 126<sup>th</sup> regular session of the IACHR, the Rapporteur submitted a report to the Commission on affirmative action in the Americas. The Rapporteur also submitted a report on admissibility and another for publication (the case of Simone André Diniz vs. the Republic of Brazil) on racial discrimination in the workplace. In that case he affirmed that the country's system of justice had failed by not allowing a victim of racism access to the courts.

86. The Rapporteur has been conducting studies and following reports of discrimination in the Americas. He also gave support to the Working Group of the Committee on Juridical and Political Affairs of the Permanent Council of the OAS that is working on a Draft American Convention against Racism and All Forms of Discrimination. He is currently analyzing the draft and contributing to the discussion of the final draft.

87. The Rapporteur emphasized the need to raise awareness that racism is a tool used to exclude political minorities and hinder their access to full enjoyment of citizen's rights in the Americas. Many cases of human rights violations are against afro descendants and indigenous peoples, which shows that these are vulnerable groups, and that therefore, they need the special protection of government agencies and of the Inter-American Commission on Human Rights.

## **6. Special Rapporteurship on Migrant Workers and their Families**

88. During 2006 the Special Rapporteurship on Migrant Workers and their Families continued its promotional and advisory activities. In March of 2006 the Commission held hearings on the situation created by the General Migration Law of the Dominican Republic, and on the situation of migrant workers in Costa Rica. During the special session held in Guatemala City in July of 2006, the Commission received information on the free trade agreements and human rights in Central America, a topic which also impacts migrant issues.

89. The Special Rapporteurship has also continued to help the Commission review petitions and requests for precautionary measures that it received regarding migrant workers.

90. In light of the special interest that several member states have expressed in this topic, in its seventh progress report included in the 2005 Annual Report of the IACHR, the Rapporteurship decided to address the issue of sending States' obligation to protect and guarantee the human rights of migrant workers. The Rapporteurship was able to document that protection or violation of a right is often contingent upon prompt and effective diplomatic or consular representation of the migrant worker before the authorities of the receiving State.

91. It is noteworthy that from August 2005 to the end of 2006 the Special Rapporteurship did not have any additional funds with which to carry out its activities, and therefore its work dwindled. In November of 2006 a sizeable donation was received from the Government of the Bolivarian Republic of Venezuela. The Rapporteurship noted the value of that support and hopes that interest expressed by other States and organizations will also result in financial contributions.

92. Among the activities that this financial support made possible was the Rapporteurship's participation in a workshop in November of 2006 on behalf of the Commission, called "Migrant Workers: Protection of Labour Rights and Labour Market Programs." The event, organized by the Inter-American Conference of Ministers of Labor, was held in Ottawa, Canada. One of the objectives of the workshop was to promote dialogue and cooperation among Ministers of Labor in the Americas to promote the labor rights of migrant workers and cooperation in the migration processes implemented by States according to their respective legal systems; to exchange experiences with programs to promote and protect the labor rights of migrant workers and labor market programs, with special emphasis on Canada's temporary worker program; and to identify lessons learned and guidelines for future action in this field in the inter-American system.

## **7. Unit for Human Rights Defenders**

93. During its 124th regular session the Commission approved the Report on the Situation of Human Rights Defenders in the Americas. The IACHR published this Report in fulfillment of the mandate handed down by the General Assembly of the OAS in AG/Res 1818 of



June 5, 2001. The Report was presented to the Committee on Juridical and Political Affairs on September 14, 2006. On October 18 the Secretary General of the OAS presented the Report to the representatives of the member states and representatives of civil society.

94. In 2006 the activities of the unit for human rights defenders revolved around disseminating the Report. To this end, various forums, roundtables, and formal and informal presentations were organized in different countries of the region, including El Salvador. As part of the program of activities planned around the holding of a special session of the Inter-American Court in that country, the Commission presented the Report to human rights organizations from several Central American countries and to Salvadoran authorities. The Report was also presented in Guatemala during a special session of the Commission in that country, and in Peru during a working visit by the Commission. The Report was also the focus of programs at such institutions and organizations as American University, the Carter Center, and the Woodrow Wilson International Center. This last program was attended by a special representative of the Secretary General of the United Nations for Human Rights Defenders, Ms. Hina Jilani. The unit also participated in a round table discussion of the Report during a session of the United Nations Human Rights Council in Geneva, which included the participation of some States, a representative of the Council of Europe, and the Special Representative of the UN Secretary General for Human Rights Defenders.

95. The unit continued to work on individual cases and petitions, as well as to examine and follow-up on precautionary measures on behalf of human rights defenders in the Hemisphere.

#### **E. Activities of the Inter-American Commission on Human Rights in connection with the Inter-American Court of Human Rights**

96. In 2006 the Commission continued litigation of several matters before the Inter-American Court of Human Rights.

97. Between January 1 and December 31, 2006, the Commission presented fourteen (14) cases before the Inter-American Court: *García Prieto Giralte* (El Salvador), *La Cantuta* (Peru), *Cantoral Huamaní and García Santa Cruz* (Peru), *La Rochela* (Colombia), *Bueno Alves* (Argentina), *Escué* (Colombia), *Boyce et al.* (Barbados), *Chaparro Álvarez et al.* (Ecuador), *Twelve Saramaka Clans* (Suriname), *Cornejo et al.* (Ecuador), *Zambrano et al.* (Ecuador), *Ruggeri Cova et al. - First Administrative Litigation Court* (Venezuela), *Salvador Chiriboga* (Ecuador), and *Yvon Neptune* (Haiti).

98. Also in 2006, the Commission participated in numerous public hearings before the Court. This included hearings of the LXX, LXXI and LXXII regular periods of sessions of the Court held at its headquarters, as well as the XXVII, XXVIII and XXIX extraordinary periods of sessions held in Brasília, Brazil; Buenos Aires, Argentina; and San Salvador, El Salvador. In these periods of sessions, hearings were held in the cases *Nogueira de Carvalho* (Brazil), *Vargas Areco* (Paraguay), *Almonacid Arellano* (Chile), *Claude Reyes et al.* (Chile), *Retén de Catia* (Venezuela), *Castro Castro Prison* (Peru), *Employees Dismissed from Congress* (Peru), *La Cantuta* (Peru), and in provisional measures "*La Pica*" *Judicial Detention Center* (Venezuela), *Prisons in Mendoza* (Argentina), *Millacura Llaipén et al.* (Argentina), *Araraquara Penitentiary* (Brazil).

99. In the period that comprises the present report, the Commission also took note of various sentences dictated by the Court on cases submitted for its consideration, including rulings on merits, reparations and costs in the cases *Pueblo Bello* (Colombia), *López Álvarez* (Honduras), *Acevedo Jaramillo et al. - SITRAMUN* (Peru), *Sawhoyamaya* (Paraguay), *Baldeón García* (Peru), *La Granja y el Aro - Ituango* (Colombia), *Ximenes Lopes* (Brazil), *Retén de Catia* (Venezuela), *Servellón García et al.* (Honduras), *Goiburú, Mancuello and Villalba* (Paraguay), *Vargas Areco* (Paraguay), *Claude Reyes et al.* (Chile), *Almonacid Arellano* (Chile), *Employees Dismissed from Congress* (Peru), *Nogueira de Carvalho* (Brazil) and *La Cantuta* (Peru); and rulings of interpretation in the cases *Yakye*

*Axa* (Paraguay), *Raxcacó Reyes* (Guatemala), *Moiwana* (Suriname), *Yean and Bosico* (Dominican Republic), *Acevedo Jaramillo et al. - SITRAMUN* (Peru) and *Pueblo Bello Massacre* (Colombia).

**F. Thirty-sixth regular session of the OAS General Assembly**

100. During the thirty-sixth regular session of the General Assembly of the Organization of American States, which was held in Santo Domingo, Dominican Republic from June 4 to 6, 2006, the Commission was represented by its President, Evelio Fernández Arévalos and its Executive Secretary Santiago A. Canton. The Commission's President addressed the General Assembly on the general situation of human rights in the OAS member states and formally presented the Commission's 2005 Annual Report.

101. The General Assembly adopted several resolutions in the area of human rights and humanitarian law. Because of their importance for the promotion and defense of human rights in the Americas and for consolidation of the inter-American system.

The complete text of various resolutions adopted by the General Assembly in the area of human rights and humanitarian law can be found on the CD that accompanies this publication and at the Commission's website at the following address: <http://www.cidh.org>.