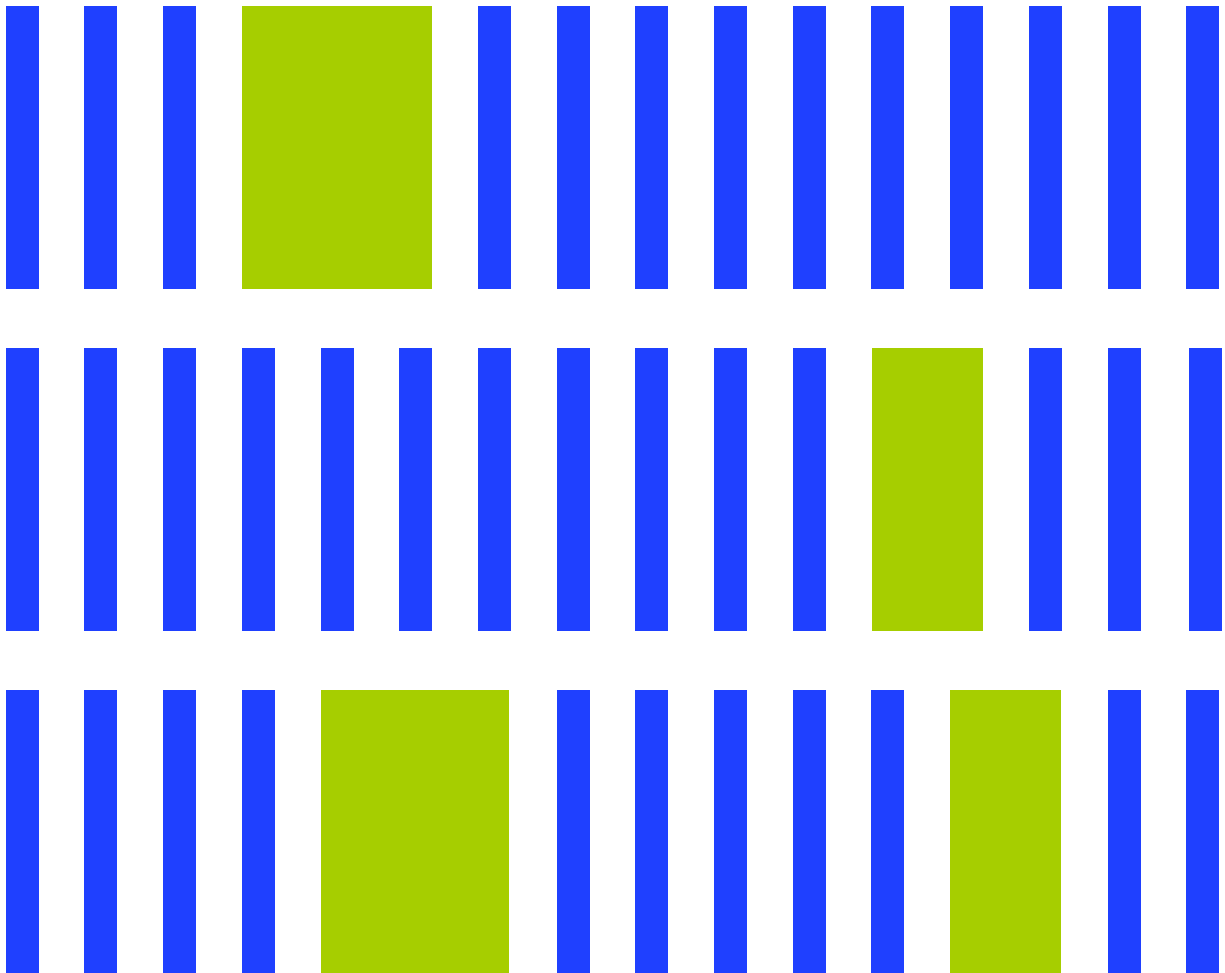


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INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

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** They began their mandates on January 1, 2022.

**They concluded their mandates on December 31, 2022.

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Approved by the Inter-American Commission on Human Rights on May 26, 2022

ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS 2021

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INTRODUCTION

1. In compliance with its mandates and the provisions of Article 59 of its Rules of Procedure, the Inter-American Commission on Human Rights (IACHR) presents its Annual Report, which records the work carried out and the most relevant results achieved by this main body of the Organization of American States (OAS), from January 1 to December 31, 2021.

2. Thanks to the member states' decision to strengthen the capacities of the principal bodies of the inter-American human rights system by increasing their budget, and through the commitment and dedication of its Executive Secretariat's staff, the IACHR has been able to consolidate and reposition itself in the region through achievements and results that are unparalleled in its history, even in the context of the global pandemic.

3. On March 22, 2017, following an extensive participatory process, the Inter-American Commission on Human Rights approved its 2017–2021 Strategic Plan, which serves as the IACHR's primary tool for institutional management, establishing priorities to successfully discharge its mission and tackle current and future challenges in addressing and protecting human rights in the Americas in keeping with the Commission's three pillars: the system of petitions, cases, friendly settlements, and precautionary measures; monitoring the human rights situation in the Americas; and providing states with cooperation and technical assistance regarding human rights and their promotion.

4. As reported in detail in this 2021 Annual Report, over the course of the year the IACHR made significant progress in fulfilling the goals and objectives set out in the Strategic Plan. Notable among these achievements is the progress made in overcoming the procedural backlog and developing new standards in the case system, in expanding the scope of monitoring, in increasing technical cooperation and outreach activities, and in strengthening the IACHR's mechanisms for following up on compliance with the recommendations issued through various instruments. These efforts aim to address the historical demands of the region's states for a better balance among the thematic rapporteurships and for closer coordination among the IACHR's three mandates.

5. In pursuit of its task of reducing the procedural backlog and offering users of the inter-American human rights system a faster and more efficient response, in 2021 the IACHR saw a historic rise in its productivity, in spite of the context of the pandemic and remote work. The achievements detailed in this Annual Report include the approval of 345 reports on admissibility and 75 merits reports, representing increases of 18.9% and 11.9%, respectively, over the 2020 results; more vigorous use and monitoring of friendly settlements; timely decisions on a record number of precautionary measure requests; and a streamlined initial review of petitions and a more expeditious processing of cases and petitions. During 2021, a total of 21 new friendly settlement agreements were signed and 15 agreements were formally approved. The Commission also received 1,185 requests for precautionary measures, which it evaluated in their entirety. Of these, 73 were granted, and another 33 current measures were expanded. In addition, four follow-up resolutions on current precautionary measures were published, and one request for provisional measures and four requests for extensions were sent to the Inter-American Court of Human Rights. Through its work in the petition and case system, the IACHR has deepened and consolidated its case law, with which it has reinforced predictability, defined clearer human rights standards, and secured redress for victims of human rights violations.

6. Similarly, the Commission strengthened its timely and essential monitoring of the human rights situation in the region by developing and enhancing standards, drafting and approving ten thematic reports and three country reports (on Brazil, El Salvador, and Chile), issuing 132 press releases, posting timely

statements on social media regarding important human rights situations in the region, and sending states 95 requests for human rights information.

7. The Commission also made progress in consolidating more timely, diversified, and expanded monitoring, with working visits, and with the establishment and tracking of Rapid and Integrated Response Coordination Units (SACROIs) to identify risk factors for human rights violations and/or design strategies for immediate and ongoing responses in line with its mandates. In this way, the IACHR strengthened its contribution to more effective and accessible inter-American justice by providing a timely and comprehensive response to specific situations in five countries through the establishment of SACROIs for Bolivia, Brazil, Colombia, El Salvador, and Haiti, as well to the global situation posed by the COVID-19 pandemic through the continuation of the first thematic SACROI. These responses also included the completion of the work of the [Interdisciplinary Group of Independent Experts \(GIEI\) to assist in the investigations into acts of violence and human rights violations that occurred in Bolivia between September 1 and December 31, 2019](#), and the ongoing work of the [GIEI for the Ayotzinapa Case in Mexico](#).

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

9. During 2021, the IACHR maintained its public presence and relevance in the region with three working visits: a virtual visit to Mexico, to observe the human rights situation of people in situations of human mobility; an on-site visit to Colombia, in the context of the protests in that country; and an on-site visit to Ecuador, to examine matters relating to persons deprived of their liberty. Likewise, it held three virtual periods of sessions and a fourth in a hybrid format. The Commission continued to forge closer ties with the Caribbean countries, with the organization of four meetings with the group of that region's states during its periods of sessions, as well as several bilateral meetings with states.

10. On the other hand, the IACHR addressed the serious situation of the pandemic in the region with the publication of [Resolution 1/21: COVID-19 vaccines and inter-American human rights obligations](#), which underscores the urgency of ensuring rapid inoculation throughout the Americas and of placing public health and human rights at the center of states' decisions and policies relating to COVID-19 vaccines. Likewise, two practical guides were also published: [How to promote universal internet access during the COVID-19 pandemic?](#) and [How can family unit protection and family reunification be made more effective in situations of human mobility and mixed movements, and in the context of the pandemic?](#)

11. In 2020, the Commission continued to strengthen its promotion and training efforts for member states' public officials, civil society organizations, students, and other social actors. During this period, the IACHR held 71 training events and 239 promotion activities about the inter-American human rights system to build awareness about the system and its mechanisms and standards and about priority issues and rights.

12. In the area of technical cooperation, the Commission formalized its partnerships with different institutions by signing four new inter institutional cooperation agreements. It also published two compendiums: [Compendium on the Obligation of States to Adapt Their Domestic Legislation to the Inter-American Standards of Human Rights](#) and [Compendium on Truth, Justice, and Reparation in Transitional Contexts](#). Finally, during 2021 the Commission concluded its collaboration with the universities and other institutions that participated in the first edition of the Specialized Academic Network for Technical Cooperation.

13. The IACHR continued to strengthen its presence within OAS political bodies by delivering 38 presentations over the course of 2021. Also noteworthy was the participation of states and civil society in all the activities carried out by the Commission during the year, including public hearings, consultations, training workshops, bilateral and multilateral meetings, and other events. The participation of the region's states and

civil society is essential for the IACHR to be able to fully discharge its mandate of promoting and protecting human rights, and the IACHR appreciates and expresses its gratitude for the active collaboration of states and civil society organizations. Most of the region's states and numerous civil society organizations participated in the 78 hearings during 2021's four periods of sessions, which addressed both region wide issues and specific human rights situations in 19 countries of the Americas. Open meetings with representatives of inter-American civil society were held at all the periods of sessions. The IACHR also organized regular meetings with states during its periods of sessions, and meetings were held with 12 countries during 2021 to review their portfolios of petitions, cases, precautionary measures, friendly settlements, and follow up recommendations.

14. With the aim of achieving greater coordination between regional and universal human rights protection systems and the inter-American system, the Commission promoted initiatives in coordination with the Inter-American Court of Human Rights and with other international, regional, and subregional human rights organizations and mechanisms. During 2021, the IACHR participated in the High Level Segment of the sessions of the United Nations Human Rights Council in Geneva. It also contributed to the Universal Periodic Review of Trinidad and Tobago, received representatives of the Office of the United Nations High Commissioner for Human Rights (OHCHR), special rapporteurs, and other UN representatives attending hearings at its 179th, 180th, 181st, and 182nd periods of sessions, issued 19 joint press releases with the OHCHR and various United Nations special mechanisms, and carried out joint activities with a number of agencies of the universal human rights system. It also strengthened its institutional cooperation with the Inter-American Court of Human Rights through joint participation in virtual seminars. In addition, in conjunction with the MERCOSUR Institute for Public Policies in Human Rights (IPPDH), it conducted the third joint edition of the International Course on Public Policies in Human Rights, which was attended by 100 public officials from across the Americas.

15. The IACHR continued to step up its efforts in the areas of transparency, accountability, and information access during 2021. Thus, it published two press releases on its balance of results, created new information sections on its website, and presented annual reports on the work of its Special Rapporteurships. It also responded to 95 specific requests for access to information.

16. Mention should also be made of the implementation of the [Inter-American SIMORE](#), an online database tool with more than 4,700 classified and systematized recommendations relating to approved friendly settlement agreements, annual reports (Chapter IV.B), published merits reports, thematic and country reports, and precautionary measures granted. Also noteworthy is the launch of the [IACHR Impact Observatory](#), which has the aim of mapping and systematizing the IACHR's impact in the Americas, fostering synergies with other similar initiatives, and promoting dialogue and interconnections with strategic actors and communities interested in the effectiveness of the inter-American human rights system.

17. Also during 2021, the Commission conducted 14 standards dissemination campaigns, with a total of 3.1 million views and 161,200 interactions through the IACHR's social media accounts.

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

19. The IACHR thanks inter-American civil society actors engaged on human rights issues, the OAS member states and observers, international and regional agencies, OAS Secretary General Luis Almagro and his team, as well as the team of the IACHR Executive Secretariat for all the support they provided in pursuit of the unprecedented accomplishments presented in this Annual Report. It also thanks the member states for strengthening the IACHR by increasing its resources from the Regular Fund. Its thanks also go to the member countries, observers, and donors whose voluntary contributions have been decisive in achieving these results: Brazil, Costa Rica, Mexico, Panama, the United States, the European Commission, France, Ireland, the Netherlands, Norway, Spain, Switzerland, the Arcus Foundation, the Office of the United Nations High

Commissioner for Refugees (UNHCR), the Ford Foundation, Google, the Open Society Foundation, and the Pan American Development Foundation (PADF).

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

A. Progress Achieved

21. The measures that were observed are classified into three groups. The first one is cross-cutting issues with a multidimensional impact on human rights protections. This group includes actions that the IACHR has regarded as priorities to advance human rights protection, such as strengthening human rights institutions; strengthening democratic institutions and participation; improving access to justice; and citizen security and, thereby, combatting torture and forced disappearances, and preventing violence against vulnerable populations. The second group is measures taken by States to protect priority and particularly vulnerable populations. The third group includes actions taken to strengthen historic memory, truth and justice; freedom of expression and thought; and protection of economic, social, cultural and environmental rights (ESCER).

22. **Human rights institutional** refers not only to the public and State institutions specifically charged with protecting human rights, but also to the steps taken by the States in the area of the law and public policies aimed at strengthening the protection of human rights in all its facets. In this vein, with respect to actions aimed at strengthening this institutional framework, the IACHR welcomes Argentina instituting the 2021-2023 agenda of the Federal Network of Municipalities for the Strengthening of Human Rights, an initiative of the Human Rights Secretariat of the Ministry of Justice and Human Rights of the Nation, along with the Secretariat of Municipalities of the Ministry of Interior Affairs of the Nation, the purpose of which is to mainstream a human rights approach into the design, implementation and monitoring of public policies and strengthen inter-jurisdictional state rights promotion and protection capacities.¹

23. The IACHR also takes note of information provided by that country regarding the creation of a new virtual human rights education platform (CampusDH), with a view to strengthening democracy and reinforcing a human rights culture.² It further notes the first edition of the training cycle of municipal agents who serve in the human rights areas of local governments, which was conducted by the Human Rights Secretariat of Argentina.³ In Bolivia, the IACHR highlights the legislative amendment providing for a deeper role of the Office of the Ombudsman, particularly, designating the national Human Rights Institutions (NHRI) as the National Mechanism for the Prevention of Torture, granting it the power to follow up on criminal and disciplinary proceedings in response to reports of torture, as well as implementing promotion, dissemination and training programs to prevent violations of the right to humane treatment.⁴ As for Brazil, the IACHR notes that on May 28, 2021, that country deposited the instrument of ratification of the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance. It also takes note of the addition of human rights parameters to evaluate the conduct of state-owned enterprises and the publication in June of the Governance Indicator (IG-Sest), which includes a human rights focus in practices.⁵ Regarding Chile, the IACHR

¹ Argentine Republic, Note responding to the request for information. Charter Article 41; [Red Federal de Municipios para el Fortalecimiento de los Derechos Humanos](#). [‘Federal Network of Municipalities for the Strengthening of Human Rights’], April, 2021.

² Argentine Republic, Note responding to the request for information. Charter Article 41; [Actualización de CampusDH](#).

³ Secretariat of Human Rights, [Culminaron las capacitaciones en Derechos Humanos para municipios de todo el país](#), [‘Human rights training for municipalities throughout the country completed’], July 1.

⁴ Official Gazette, [Modifica la Ley N° 870 de 13 de diciembre de 2016, del Defensor del Pueblo](#), [‘Amendment to Law No. 870 of December 13, 2016, of the Ombudsman’], September 29

⁵ Government of the Federative Republic of Brazil, Note responding to request for information. Charter Article 41; [Empresas estatais serão avaliadas a partir das ações em direitos humanos, Decreto nº 9.203](#) [‘State enterprises will be evaluated based on human rights actions [‘State enterprises will be evaluated based on human rights actions, Decree 9.203’]

takes note of the end of the First National Human Rights Plan 2018-2021 and the National Human Rights and Business Action Plan 2017-2020⁶ and underscores initiatives to move forward with the second edition of these programs including mechanisms for citizen participation in the drafting thereof. Additionally, it takes note of ratification of the 2014 Protocol to ILO Convention 29 on forced labor.⁷ In Costa Rica, the Commission highlights the participation of the Ombudsperson in the meeting held in August 2021 between the Ombudspersons of Colombia, Panama, Ecuador and Costa Rica, with a view to reaching an agreement on a joint work plan to address the extracontinental and Caribbean migration crisis.⁸

24. With respect to the United States, the IACHR welcomes the decision of that country to rejoin the UN Human Rights Council (HRC) in the upcoming term beginning in 2022.⁹ The United States had withdrawn from the Council in 2018. The IACHR also takes note of enactment of a legislative bill declaring June 19 a federal holiday to commemorate the end of slavery of afrodescendent persons known as “Juneteenth.”¹⁰ Additionally, it welcomes the newly created Office of the Immigration Detention Ombudsman within the Department of Homeland Security (DHS) in 2021, which was established to provide a channel for complaints about the detention conditions of immigrants; to oversee detention facilities; and to issue recommendations relating to immigration detentions in its territory.¹¹ Regarding Honduras, the IACHR takes note of information provided by the State pertaining to the design of Institutional Strategic Plan PEI02022-2025, specifically by the Human Rights Secretariat (SEDH), which is currently at the approval stage.¹² As concerns Mexico, we highlight information submitted by the State on the holding of a number of trainings of personnel of the judiciary on international human rights standards.¹³ As for Panama, the IACHR takes note of the appointment of a new Ombudsman for the 2021-2026 term¹⁴ and of the conducting of a series of training courses on the subject of human rights to justices of the peace,¹⁵ as well as trainings for public officials, law enforcement,¹⁶ and public servants.¹⁷ In Paraguay, the IACHR notes that the Ministry of Justice held a meeting to draw up the III Human Rights Network Action Plan 2021/2022” with a view toward guiding and coordinating

⁶ Ministry of Justice and Human Rights, “[Primer Plan Nacional de Derechos Humanos](#)” [‘First National Human Rights Plan’], November 06, 2021. Ministry of Justice and Human Rights, [Reporte de finalización Primer Plan de Acción Nacional De Derechos Humanos y Empresas](#), [‘Report completing First National Human Rights and Business Plan of Action’], April 2021.

⁷ ILO, [Chile ratifica el Protocolo relativo al Convenio núm. 29, reafirmando su compromiso de luchar contra el trabajo forzoso](#), [‘Chile ratifies Protocol to Convention 29, reaffirming its commitment to fight against forced labor’], January 19, 2021.

⁸ Semana [Defensores del Pueblo de Colombia, Panamá, Ecuador y Costa Rica trabajarán en conjunto frente a la crisis migratoria](#), [‘Ombudspersons of Colombia, Panama, Ecuador and Costa Rica will work together in the face of the migration crisis’], August 04, 2021.

⁹ US Department of State, [Elección de Estados Unidos para integrar el Consejo de Derechos Humanos de la ONU \(CDH\)](#), Election of the United States to become a member of the UN Human Rights Council (HRC)], October 14, 2021.

¹⁰ France 24, <https://www.france24.com/es/ee-uu-y-canad%C3%A1/20210618-juneteenth-esclavitus-festivo-biden-dia>, June 18, 2021

¹¹ U.S. Department of Homeland Security, [The Office of the Immigration Detention Ombudsman and The CIS Ombudsman's Listening Session: Get to Know DHS's New Office of the Immigration Detention Ombudsman](#), October 21, 2021.

¹² Republic of Honduras, Official Letter No. SEDH-PM-065-2021, Report on Chapter IV, Volume 1 Section A of the Rules of Procedure of the Inter-American Commission on Human Rights.

¹³ Mexican Republic, Note responding to the Article 41 letter request for Chapter IV, Volume 1, Section A, September 18, 2021, pars. 34 – 49.

¹⁴Office of the Ombudsman: [Defensor Eduardo Leblanc González tomó posesión de su cargo en la Asamblea Nacional](#). [‘Ombudsman Eduardo Leblanc Gonzalez was sworn into office at the National Assembly’]

¹⁵ Office of the Ombudsman: [Capacitan en Derechos Humanos a jueces de Paz en Chiriquí](#) y [‘Justices of the Peace trained on human rights in Chiriquí’]; Office of the Ombudsman: [Defensoría del Pueblo y PNUD ofrecen capacitación sobre derechos humanos y poblaciones clave a Jueces de Paz de Panamá](#) [‘Office of the Ombudsman and UNDP offer training on human rights and key populations to Justices of the Peace of Panama’]

¹⁶ Office of the Ombudsman: [Oficiales de Derechos Humanos brindan capacitación a miembros de la Policía Nacional](#) [‘Human Rights Officials provide training to members of the National Police’]

¹⁷ Office of the Ombudsman: [Más de un millar de capacitados en Derechos Humanos](#). [‘More than a thousand trained on human rights’].

its efforts on this subject.¹⁸ As for Peru, the IACHR welcomes that country depositing the instrument of accession to the Inter-American Convention on Protecting the Human Rights of Older Persons, on March 1, 2021, thus becoming the eighth country to ratify this Convention, which was approved by the General Assembly of the Organization of American States (OAS) on June 15, 2015.¹⁹ Likewise, we take note of the process of drafting the 2021-2025 National Action Plan on Business and Human Rights, the first of its kind in Peru.²⁰ In Uruguay, the IACHR takes note of the National Human Rights Action Plan.²¹ In the Dominican Republic, the IACHR welcomes the issuing of the new directive of the Ombudsman and takes note of the roll out of a new management model based on the principles of transparency, accessibility, independence and efficiency and the creation of the Citizen Rights Lecture.²²

25. With relation to progress on **strengthening democratic institutions and participation**, the Commission hails that peaceful general elections were held in some States of the region in the context of the pandemic. Countries that held national elections include Argentina, which held mid-term legislative elections on November 14, 2021; Mexico, which on June 6, 2021, held what is considered the largest mid-term elections in its history to renew the legislature and other subnational bodies. It also notes Barbados, which held its first elections as an independent Republic on October 20 and elected a woman as President of the Republic.²³ It also highlights Honduras, which held presidential elections on November 28, 2021, also electing a new woman President; Chile, which held the general presidential election on November 21, and a runoff election on December 19, also electing a new representative of the executive branch; Peru, which held a first round election on April 11 and a runoff election on June 6, electing a new president that day; and Saint Lucia, which held parliamentary elections on July 26, appointing a new Prime Minister on July 28.

26. Likewise, other countries held peaceful elections of subnational authorities, including Bolivia, on April 11. The IACHR further notes the steps taken by the States to strengthen democracy and citizen participation in political processes and in public policy making. In Argentina, the Commission and its Rapporteurship for Freedom of Expression became aware that the country joined in June 2021 the United Nations Information and Democracy Partnership, which binds the signatory countries to encourage online access to free, independent, plural and reliable information; it establishes democratic principles such as political, ideological and religious neutrality for algorithms; and emphasizes digital service provider accountability to promote reliable and pluralistic content in indexing.²⁴ Regarding Costa Rica, the IACHR takes note of the creation of the Economic Social Advisory Council (CCES), which is made up of 54 representatives of social, business, trade union, religious, academic sectors, civil society and institutions and will function as an advisory body to the executive branch of government on actions, programs and public policies as a new

¹⁸ Ministry of Justice, [“El Ministerio de Justicia coordinó reunión de la Red de derechos humanos del Ejecutivo”](#), [‘Ministry of Justice coordinated meeting of the human rights network of the Executive’], September 06, 2021.

¹⁹ IACHR, Press Release 55/21 - [La CIDH celebra la adhesión de Perú a la Convención Interamericana sobre la Protección de los Derechos Humanos de las Personas Mayores](#), IACHR Welcomes Peru’s Ratification of the Inter-American Convention on the Protection of the Human Rights of Older Persons, March 9, 2021.

²⁰ Ministry of Justice and Human Rights, [“MINJUSDH presenta a la comunidad nacional e internacional el Plan de Acción sobre Empresas y Derechos Humanos”](#) [MINJUSDH presents to the national and international community the Plan of Action on Business and Human Rights], June 24, 2021; Office of the Ombudsman, [“Nos reunimos con el MINJUSDH para conocer avances en elaboración del plan de acción sobre empresas y DD. HH”](#) [‘We met with MINJUSDH to learn of progress in drafting the business and HR action plan’], April 30, 2021.

²¹ National Human Rights Institute and Office of the Ombudsman, [“Secretaría de Derechos Humanos lanzó el proceso de construcción del primer Plan Nacional de Acción en Derechos Humanos”](#), [‘Human Rights Secretariat kicks off the process of building the first National Human Rights Action Plan’], August 23, 2021.

²² [Defensor del Pueblo crea Cátedra de Derechos Ciudadanos, 12 de noviembre de 2021. Defensor del Pueblo lanza modelo de gestión, 12 de noviembre de 2021.](#) [Ombudsman creates Citizen Rights Lecture, 12, November, 2021. Ombudsman rolls out management model, November 12, 2021]

²³ Barbados Government Information Service, [Dame Sandra Mason is First President Elect](#), October 20, 2021.

²⁴ Permanent Mission of the Argentine Republic to the OAS. Information submitted by the State for the Annual Report of the Special Rapporteurship for Freedom of Expression.

participatory space in the design of public policies.²⁵ In Guyana, the IACHR notes the efforts of the government to strengthen democracy through the participation of all stakeholders in a consultative and inclusive process of Electoral and Constitutional Reform.²⁶ The consultative mechanism for the process of electoral reform has been written into Article 13 of the Constitution, which guarantees the participation of citizens in decision-making processes of the State.²⁷

27. In Honduras, the IACHR takes note of the measures taken by the State to ensure the right to life, humane treatment and liberty of people who demonstrate during social mobilizations, including training the National Police on the Use of Force and Crowd and Riot Control, as well as creating the Municipal Observatories on Coexistence and Citizen Security, which help to validate police information and ensure proper implementation of security strategies according to the National Plan (*Plan de Nación*), and accompaniment by the National Human Rights Commission (CONADEH) at social protest demonstrations, acting as a mediator between the people and authorities with a view to guaranteeing the safety of the demonstrators and the responsibility of authorities to ensure that safety. As for Mexico, the IACHR takes note of information provided by the State on the INE agreement to guarantee gender parity in 7 of 15 state governorships disputed over the election period, as well as the change in registration requirements for federal deputy seats in order to ensure proportional representation of indigenous persons, Afro-Mexicans, persons with disabilities and LGBTI persons,²⁸ for reasons of gender, and the National Register of Persons Sanctioned for Gender-based Political Violence.²⁹

28. **Access to** timely, transparent, effective, impartial and non-selective **justice** continues to be one of the most important pending challenges in the Americas. Notwithstanding, over the year positive steps were taken in this area. Thus, the IACHR takes note of information provided by Bolivia about measures implemented to ensure and improve effective access to criminal justice through electronic case filing with the Office of the Public Prosecutor and the Supreme Court of Justice.³⁰ The State underscored that the process of IT enhancement is also being used to facilitate the access of institutions of the criminal justice system to the information they need to alleviate overcrowding at prison facilities.³¹ Additionally, the State reported on training processes for prosecutors on the protection of the rights of women, LGBTI persons and other populations in vulnerable situations.³² The State also reported that the Departmental Courts of Justice received guidelines on the administration of justice with a gender, intersectional and intercultural perspective,³³ which the IACHR views as a positive step. Likewise, the State highlighted the working groups to address judicial delay in several jurisdictions.³⁴ As for access to justice for gross human rights violations perpetrated over the last quarter of 2019 in Bolivia, the Commission points to the presentation of the final report of the Interdisciplinary

²⁵ Office of the President of the Government of Costa Rica, [Fruto del diálogo multisectorial 2020: Instalado Consejo Consultivo Económico Social](#), [‘Fruit of the 2020 multisectoral dialogue: Economic Social Advisory Council Installed’], August 27, 2021.

²⁶ Office of the President, [Consultative mechanism will be in place to drive Constitutional reform – President Ali](#), 2 February 2021.

²⁷ Parliament of Guyana, [Constitutional \(Amendment\) No.4, Act No. 6 of 2001](#), 7 August 2001.

²⁸ Mexican State Report, Chapter IV. September 18, 2021, par. 155 – 177.

²⁹ Mexican State Report, Chapter IV. September 18, 2021, par. 178 – 189.

³⁰ Plurinational State of Bolivia, Verbal Note MPB-OEA-NV204-21, Report on the Situation of Human Rights in the Plurinational State of Bolivia for its inclusion in the 2021 IACHR Annual Report, October 15, 2021. Pgs. 8 and 16.

³¹ Plurinational State of Bolivia, Verbal Note MPB-OEA-NV204-21, Report on the Situation of Human Rights in the Plurinational State of Bolivia for its inclusion in the 2021 IACHR Annual Report, October 15, 2021. Pg. 11.

³² Plurinational State of Bolivia, Verbal Note MPB-OEA-NV204-21, Report on the Situation of Human Rights in the Plurinational State of Bolivia for its inclusion in the 2021 IACHR Annual Report, October 15, 2021. Pgs. 11 and 12.

³³ Plurinational State of Bolivia, Verbal Note MPB-OEA-NV204-21, Report on the Situation of Human Rights in the Plurinational State of Bolivia for its inclusion in the 2021 IACHR Annual Report, October 15, 2021. Pg. 12.

³⁴ Plurinational State of Bolivia, Verbal Note MPB-OEA-NV204-21, Report on the Situation of Human Rights in the Plurinational State of Bolivia for its inclusion in the 2021 IACHR Annual Report, October 15, 2021. Pg. 12.

Group of Independent Experts (GIEI-Bolivia) on August 17, 2021.³⁵ In this regard, the IACHR commends, once again, the Plurinational State of Bolivia for accepting the installation of the GIEI and offering the experts, as well as its technical team, the necessary conditions to perform their work in an environment of security, free of interferences³⁶ and hails the willingness expressed by the State to comply with the recommendations of the GIEI-Bolivia.³⁷

29. Additionally, the Commission takes note of the information provided by Colombia regarding access to justice in cases of violence against women in the context of the 2021 protests, reporting that 27.3% of the complaints of sexual violence against women had been clarified.³⁸ It also takes note of the opening of two investigations into alleged disciplinary offenses by National Police agents for acts of sexual violence,³⁹ as well as charges brought against policemen involved in holding an adolescent girl, who was allegedly sexually assaulted by several agents of the public security forces in the city of Popayán.⁴⁰ In Guyana, the IACHR notes the use of technology and the establishment of new courts to guarantee access to justice and to reduce the case backlog.⁴¹ Additionally, the IACHR welcomes the efforts of the State to guarantee access to justice for people living in rural areas by setting up a court of resident magistrates outside of the capital city.⁴² As for Haiti, the Commission highlights the creation of the Office of Mediation and Legal Education by the OPC. According to public information, the purpose of this office is to facilitate dispute resolution through mediation and it is responsible for receiving and following up on complaints relating to human rights violations and abuses in public administration. Another purpose of this office is to provide support and legal advice on gender-based violence. Additionally, it seeks to promote effective access to justice and guarantees protection of victims of sexual violence when they report such acts.⁴³ In Honduras, the IACHR takes note of information provided by the State that, with the support of German Cooperation GIZ, the judiciary has promoted the drafting of the Open Justice and Integrity Policy in the judiciary of Honduras and the creation of a Technical Working Group of the Judiciary with the participation of different stakeholders, including consultants, judicial facilitators, civil society and academia, to guarantee greater access to justice.⁴⁴ The Commission also appreciates the information submitted by the State, particularly, about progress in hiring prosecutors at the national level to staff the Office of the Prosecutor for Crimes against Life and the Office of the Special Prosecutor for the Protection of Human Rights Defenders (FEPRODDH), and about training on the subject of human rights to reduce the rate of impunity

³⁵ IACHR, Press Release 215/21, [La CIDH asiste, como invitada, al acto protocolar de entrega del informe del Grupo Interdisciplinario de Expertas y Expertos Independientes – Bolivia](#), IACHR Attends Report Submission Ceremony for the Interdisciplinary Group of Independent Experts on Bolivia, August 17, 2021.

³⁶ IACHR, Press Release No. 215/21 [La CIDH asiste, como invitada, al acto protocolar de entrega del informe del Grupo Interdisciplinario de Expertas y Expertos Independientes – Bolivia](#), IACHR Attends Report Submission Ceremony for the Interdisciplinary Group of Independent Experts on Bolivia, August 17, 2021.

³⁷ Office of the President of the Plurinational State of Bolivia, [Presidente recibe informe del GEIE que corrobora el golpe de Estado y anuncia aplicar sus recomendaciones](#), [‘President receives report of the GIEI, which corroborates the coup d’état and announces implementation of its recommendations’], August 17, 2021.

³⁸ IACHR, Hearing on Follow-up to observations and recommendations from the working visit to Colombia “[Seguimiento a las observaciones y recomendaciones de la visita de trabajo a Colombia](#)”, Follow up to observations and recommendation from the working visit to Colombia, 180th Regular Session, October 26, 2021, minute 42:11.

³⁹ IACHR, [La CIDH condena las graves violaciones de derechos humanos en el contexto de las protestas en Colombia, rechaza toda forma de violencia y reitera la importancia de que el Estado honre sus obligaciones internacionales](#), IACHR Condemns Serious Human Rights Violations in the Protest Context in Colombia, Rejects All Forms of Violence, and Stresses that the State Must Comply with its International Obligations, May 25, 2021..

⁴⁰ Procuraduría General de la Nación, [Boletín no. 674](#), October 21, 2021.

⁴¹ Supreme Court, [We can still hear you](#), 2021.

⁴² Department of Public Information, [AG Nandlall opens \\$177M modern Bartica Magistrate’s Court](#), 21 May 2021; Also see, , Kaieteur News, [\\$4.6 B budget announced for improving citizens access to Justice](#), February 13, 2021.

⁴³ Le Nouvelliste, [La OPC tiene una oficina de mediación y educación jurídica pública](#), [‘The OPC has an office of mediation and public legal education’], May 17, 2021.

⁴⁴ Republic of Honduras, Observations of the State of Honduras on the Report Situation of Human Rights in Honduras 2019, October 29, 2021, pg. 7.

in crimes against human rights defenders and journalists.⁴⁵ As for Jamaica, the IACHR takes note of the announcement by the Ministry of Justice of setting up more parochial justice centers to carry out programs of restorative justice, dispute resolution and other access to justice-related initiatives. According to information available to the IACHR, these centers also serve as a point of contact for justices of the peace to increase access to justice services.⁴⁶

30. **Citizen security** policies have been one of the crosscutting aspects of the IACHR's follow-up. In this regard, the IACHR notes that in 2021 several countries of the region reported a substantial decrease in violence and crime rates. With respect to Bolivia, the IACHR takes note of information provided by the State about the creation of a Gender Unit within the Bolivian Police to investigate complaints of physical, psychological and sexual violence against women.⁴⁷ Additionally, the IACHR takes note of the implementation of the Plans "Mi Barrio Seguro" ['My Safe Neighborhood'] and "Bol-110", whose purpose it is to prevent and respond to crime.⁴⁸ Regarding Chile, the IACHR and its Rapporteurship for Freedom of Expression highlights progress made by the State in training officers of the Carabineros to bring the operations of law enforcement and public security forces in line with human rights standards; and the positive legal reforms on the use of antiriot shotguns and the organizational structure of the Carabineros; progress relating to the use of a gender and human rights approach to policing, with a special focus on protecting the rights of women and the LGBTIQ+ population; among other things.⁴⁹ As for the United States, the Commission welcomes the efforts of the bodies of the justice system to bring to trial and punish those responsible for police violence with a racial bias in the country, such as the trial of the law enforcement officers involved in the murders of George Floyd and Daunte Wright;⁵⁰ as well as the developments in the suits for compensation to the families of the victims of police violence and racism.⁵¹ In Guyana, the IACHR notes that the Guyanese Police (GPF) reported a drop of 19.4% in serious crime throughout the country from January 1 to November 8, 2021, as compared to the same period in 2020. These crimes reportedly include a decrease of: i) 10.5% in robberies; ii) 29.8% in armed robberies; and, iii) 44.7% in aggravated robberies.⁵² With respect to initiatives to combat crime, the Commission notes that the President of the Republic announced the launching of a gun amnesty, which enables individuals who possess illegal firearms to turn them into the competent authorities. It also takes note that, when the guns are turned in, individuals have the opportunity to discuss alternatives to earn income and lead a decent life.⁵³ In Honduras, the IACHR has also noted a downward trend in the homicide rate over past years, though a rate of

⁴⁵ Republic of Honduras, Official Letter SEDH-PM-065-2021, Response to request for information in Chapter IV of Volume 1, Section A, October 18, 2021.

⁴⁶ Jamaica Information Service, [More Justice Centers Coming](#), 3 February 2021.

⁴⁷ Plurinational State of Bolivia. Verbal Note MPB-OEA-NV204-21, Report on the Situation of Human Rights in the Plurinational State of Bolivia for it to be included in the 2021 IACHR Annual report, October 15, 2021. In IACHR Archive and Vice Minister of Communication. [Ministro de Gobierno anuncia la creación de una Unidad de Género para investigar denuncias de violencia física y psicológica](#), ['Ministry of Government announces creation of a Gender Unit to investigate complaints of physical and psychological violence'], March 8, 2021.

⁴⁸ Office of the President of the Plurinational State of Bolivia, [Presidente Arce destaca implementación del Bol-110 y plan Mi Barrios Seguro](#), ['President Arce highlights implementation of Bol-110 and the My Safe Neighborhoods Plan'], November 8, 2021 and ATB Digital, [Presidente Arce destaca el proyecto Bol-110 y Mi Barrio Seguro para resguardar la seguridad de la población](#), ['President Arce highlights Bol-110 project and My Safe Neighborhood to protect the security of the people'], November 8, 2021.

⁴⁹

Republic of Chile. October 27, 2021. Official Letter 158/21 from the Permanent Mission of Chile to the OAS. In re. 2021 Annual Report of the Office of the Special Rapporteur for Freedom of Expression Archives of the RELE; Ministry of Justice and Human Rights, Sub secretariat for Human Rights, Inter-ministerial Human Rights Committee of the Republic of Chile. March 2021. Progress report on the measures adopted in relation to the recommendations received from national and international human rights organizations in the context of the social protests of 2019. Pgs. 5-6. Archives of the RELE.

⁵⁰ IACHR, statement on social media, available at: <https://twitter.com/CIDH/status/1382124649434202115>, April 13, 2021.

⁵¹ IACHR, statement on social media, available at: <https://twitter.com/CIDH/status/1384877851929976833>, April 21, 2021.

⁵² Department of Public Information, [Government security investments bearing fruit](#), 16 November 2021.

⁵³ Department of Public Information, [Gov't will launch confidential programme to turn criminals' lives around -President Ali](#), 12 November 2021.

39.0 per 100,00 inhabitants is projected in 2021, which would be slightly higher than in 2020, but lower than in other previous years, based on the calculations of the United Nations Development Program (UNDP).⁵⁴ According to information from the State, as of June 2021, 23.17 homicides per 100,000 inhabitants had been reported and as of July 2021, the Secretariat of Security (SEDS) reported 68 municipalities with no incidents of crime.⁵⁵ Likewise, the Commission takes note of information provided by the State about measures to move forward in implementing the plan to gradually relieve the Armed Forces from performing citizen security tasks, including strengthening the National Police by boosting the number of active duty police officers from 18,390 in 2020 to 19,286 in 2021⁵⁶ and the number of detectives in the Police Investigation Office, as well as training of policemen and officers with a human rights approach. In Jamaica, the Commission takes note of the Citizen Security Plan of the State to reduce crime, the high homicide rate in the country and reports of police-perpetrated homicides. According to official information, the Citizen Security Plan seeks to bring about a transformation and long-term development of vulnerable community spaces based on a multisectoral approach. Additionally, it sets as priority areas: i) reducing crime and violence; ii) making safer spaces available; and, iii) guaranteeing human and community development.⁵⁷ It is also expected that at least 100 communities will benefit from the initiatives of community transformation implemented under the Plan.⁵⁸ Regarding México, the Commission welcomes the adoption of the Additional Protocol for the Search of Children and Adolescents (PABNNA),⁵⁹ the strengthening of forensic capacities of federal entities by aiding in the building human identification centers and forensic repositories using federal subsidies,⁶⁰ the assumption of duties of the Coordinating Group of the Special Mechanism of Forensic Identification (MEIF),⁶¹ as well as the adoption of the agreement creating the Missing Migrant Search Table by the SNB.⁶² The IACHR also welcomes the invitation of the United Nations Committee on Enforced Disappearance (CED) to Mexico in November 2021, the decision of the Supreme Court of Justice of the Nation (SCJN) recognizing the compulsory nature of urgent actions of the CED,⁶³ as well as the creation of the Truth Commission for the clarification of gross human rights violations committed from 1965 to 1990.⁶⁴

⁵⁴ UNDP, [Análisis multidimensional de la seguridad ciudadana en Honduras](#), [‘Multidimensional analysis of citizen security in Honduras’] First half 2021, October 23, 2021.

⁵⁵ State of Honduras, Report referring to Chapter IV, volume 1 section “a” of the Rules of Procedure of the Inter-American Commission on Human Rights, November 2, 2021, par. 73.

⁵⁶ State of Honduras, Observations of the State of Honduras on the Report Situation of Human Rights in Honduras 2019, October 29, 2021, pg.. 5.

⁵⁷ Jamaica Information Service, [\\$43 Billion To Be Spent On Implementation Of CSP In Five Years](#), 2 March 2021.

⁵⁸ Jamaica Information Service, [Gov’t Establishes Citizen Security Secretariat](#), 18 February 2021.

⁵⁹ IACHR, <https://twitter.com/CIDH/status/1383037926066520064?s=20>, April 16, 2021; DOF, [Acuerdo SNBP/002/2021 por el que el Sistema Nacional de Búsqueda de Personas aprueba el Protocolo Adicional para la Búsqueda de Niños, Niños y Adolescentes](#), [‘Agreement SNBP/002/2021 whereby the National System for the Search of Persons approves the Additional Protocol for the Search of Children and Adolescents’], July 15, 2021; IACHR, <https://twitter.com/CIDH/status/1415804689493413897?s=20>, July 15, 2021.

⁶⁰ SEGOB, [Centro Estatal de Búsqueda e Identificación Forense en SLP, herramienta para enfrentar búsqueda de personas](#), [‘State Center for Search and Forensic Identification in SLP, tool to address the search for persons’], February 10, 2021; SEGOB, [Se reitera el compromiso del gobierno federal en la búsqueda de personas desaparecidas](#), [‘Federal Government reiterates commitment to searching for missing persons’], February 26, 2021; El Siglo, [El panteón forense de Jalisco presenta un avance del 40 por ciento](#), [‘The forensic pantheon of Jalisco posts 40% progress’], October 29, 2021; Report of the Mexican State, Chapter IV. September 18, 2021, par. 297.

⁶¹ SEGOB, [Se presenta a personas integrantes del Grupo Coordinador del Mecanismo Extraordinario de Identificación Forense](#), [‘Members of the Coordinating Group of the Special Mechanism of Forensic Identification are introduced’], August 30, 2021; IACHR, <https://twitter.com/CIDH/status/1432705884673749022?s=20>, August 31, 2021.

⁶² Second meeting of the National Search System 2021, November 9, 2021; SEGOB, [Aprueba SNBP mecanismos de búsqueda de personas migrantes desaparecidas](#), [‘SNBP approves missing migrant search mechanisms’], November 9, 2021; IACHR, <https://twitter.com/CIDH/status/1458462923702128643?s=20>, November 10, 2021.

⁶³ Report of the Mexican State. Chapter IV. September 18, 2021, par. 297; IACHR, <https://twitter.com/CIDH/status/1405663981948309505?s=20>, June 17, 2021.

⁶⁴ DOF, [Decreto por el que se crea la Comisión para el Acceso a la Verdad, el Esclarecimiento Histórico y el Impulso a la Justicia de las violaciones graves a los derechos humanos cometidas de 1965 a 1990](#), [‘Decree creating the Commission for Access to the Truth, Historical Clarification and the Drive toward Justice for the serious human rights violations committed from 1965 to 1990.], October 6, 2021; IACHR, <https://twitter.com/CIDH/status/1446596411722711044?s=20>, October 8, 2021.

31. In relation to the second group of measures that includes actions to protect priority and particularly vulnerable populations, the IACHR takes note of the measures taken to guarantee the universal, indivisible and interdependent nature of human rights under the principles of equality and non-discrimination, attempting to mitigate actions that could intensify human rights violations against different groups of persons, groups and communities in the hemisphere.

32. With regard to the **rights of indigenous peoples**, the Commission welcomes the ruling of the Supreme Court of Belize of June 16, 2021, in favor of Mayan territorial rights, defending the right of the Jalacte community to free, prior and informed consent over its traditional lands. The Court issued a decision in the case of *Jalacte Village v. Attorney General*, compelling the State to return the lands that had been taken without the consent of the community and ordering payment of compensation of the equivalent of USD \$3.12 million.⁶⁵ As for Colombia, the IACHR takes note of the information provided by the State about actions aimed at strengthening and revitalizing indigenous peoples' own organizational structures for the defense of life and spaces of consensus-building in the framework of the Commission on the Human Rights of Indigenous Peoples.⁶⁶ Additionally, it reported that steps have been taken to technically strengthen the National Indigenous Women's' Commission and that the Office of Indigenous, Roma and Minority Affairs (DAIRM), with the support of the International Organization for Migration and Border Management, hired a consultancy team to draft a preliminary diagnostic assessment on the indigenous population that has been moved away from the Bolivarian Republic of Venezuela.⁶⁷ In Chile, the Commission is happy that the first Mapuche woman, an accomplished defender of the linguistic rights of indigenous peoples, Dr. Elisa Lancón Antileola⁶⁸, has been elected president of the Constitutional Convention. The IACHR also welcomes that the constituent assembly approved on October 4, 2021 a regulation whose purpose it is "to guarantee the participation of preexisting nations in the whole constitutional process pursuant to international standards of indigenous peoples' human rights"⁶⁹ and, for this purpose, a standing commission was created called Rights of Indigenous Peoples and Plurinationality, with a view to "further and accompany the process." The Commission also appreciates the actions taken by the State of Chile to formally recognize the Selk'nam people, who for many years have been applying for recognition as an original people.⁷⁰ In addition, the Commission hails the decisions of the Chilean judiciary granting recognition to the rights of indigenous peoples, such as the decision of August 31, whereby the Third Chamber of the Supreme Court granted an "appeal for protection filed by the Aymara de Umirpa Community against the Canadian mining company Andex Minerals Spa and ruled that the exploration that it had been engaging in since 2018 in the Sagrado Anocarire mountain, located in the community of Camarones, region of Arica and Parinacota, must stop "because the affected indigenous communities had not been consulted."⁷¹ It also welcomes the decision of the First Chamber of the Court of Appeals of Concepción dismissing on October 28, 2021 a claim brought by the company Forestal Mininco SA against the judgment of the Trial Court of Cañete, recognizing ownership of the Rucañirre Mapuche community of a tract of land in the community, on the grounds that it has held title to it since 1897.⁷² The judgment was based on ILO Convention

⁶⁵ Cultural Survival. [Maya Peoples Win Lawsuit against Belize Government for Violating Land Rights](#). June 23, 2021.

⁶⁶ Republic of Colombia, Submissions of Colombia for the drafting of the 2021 IACHR Annual Report – Chapter IV, Section A "Annual Overview of the Human Rights Situation by country," par. 156.

⁶⁷ Republic of Colombia, Submissions of Colombia for the drafting of the 2021 IACHR Annual Report – Chapter IV, Section A "Annual Overview of the Human Rights Situation by country," pars. 157-158.

⁶⁸ Doctor Loncón Antileo, who led the work of the Assembly beginning in July 2021, was replaced by Maria Elisa Quinteros as the New President of the Constituent Assembly of Chile in January 2022.

⁶⁹ Constitutional Convention. [Aprobado reglamento de Participación y Consulta Indígena](#). ['Regulation on Participation and Indigenous Consultation approved'], October 4, 2021.

⁷⁰ El Mostrador. [Gobierno licita estudio clave para reconocimiento formal del pueblo Selk'nam](#). ['Government announces public tender for key study on formal recognition of Sel'nam people'] September 2, 2021.

⁷¹ Radio Universidad de Chile. [Comunidad Aymara de Umirpa gana recurso de protección contra empresa canadiense Andex Minerals](#). [Aymara community of Umirpa wins appeal for protection against Canadian company Andex Minerals'] September 2, 2021.

⁷² Judicial Branch. [Corte de Concepción rechaza demanda reivindicatoria de empresa forestal y reconoce propiedad ancestral de comunidad indígena sobre predio de Cañete](#). ['Court of Concepción dismisses claim of forestry company and recognizes ancestral

169, the case law of the Inter-American Court of Human Rights and the decisions of the IACHR. As for Paraguay, the Commission welcomes the defeat of the legislative bill that was intended to amend the Agrarian Statute (Law 1.863/2002) which, had it been passed, would have adversely impacted the claims of indigenous peoples to their traditional territories, which are the targets of land grabs and illegal transfers.

33. As for **women's rights**, the IACHR appreciates the efforts of the Gender Affairs Office of Antigua and Barbuda to disseminate information about services and support centers for women survivors of violence;⁷³ as well as public information indicating that statistical figures for domestic violence during the COVID-19 pandemic⁷⁴ did not post a rise. The IACHR also views as a positive step the funding granted by the Department of Gender and Family Affairs of The Bahamas to two local non-profit non-governmental organizations, in framework of the Violence Prevention Program for Perpetrators, the purpose of which is to address the root causes of gender-based violence.⁷⁵ The Commission also takes note of the fact that according to official information, sexual violence in The Bahamas against women has decreased by 13% as compared to the prior year, with 131 incidents reported from January to September 2021 -including rape, attempted rape, incest and sexual assault.⁷⁶ Likewise, in Barbados, it welcomes the roll out in March 2021 of the Project on Gender Violence at the Workplace,⁷⁷ in collaboration with UN-Women, which seeks to raise awareness about the issue through different training tools. Also, with respect to Belize, the IACHR takes note of the official records indicating a decrease in cases of violence against women, in comparison with the previous year⁷⁸ and of the launching by the National Women's Commission of the 16 Days of Activism Resource Paquet in the framework of the International Day for the Elimination of Violence against Women, with a view to involve the government, non-governmental organizations and the private sector in the activism campaign and promote the fight against gender-based violence.⁷⁹ As for Canada, the Commission takes note of the allocation of \$222.9 million Canadian dollars by the Government of Quebec to combat domestic violence and femicides.⁸⁰ Likewise, it welcomes the decision of the Superior Court of Ontario finding unconstitutional the provisions of Law C-36 that prohibits sex workers from taking certain protection measures, including hiring security.⁸¹ As regards Cuba, the Commission welcomes the approval of the National Program for the Advancement of Women, whose general purpose is to promote equal rights, opportunities and possibilities for women, as well as eliminate persisting expressions of discrimination in Cuban society. The program's plan of action includes gender equality as a crosscutting pillar, with several areas of particular focus, including the economic, education and health spheres, especially sexual and reproductive health, as well as communication policies to promote a culture of equality, respect for diversity and non-discrimination, encouraging the participation of women at all levels of decision-making, and gathering statistics with a gender perspective.⁸² With respect to Dominica, the

ownership of indigenous community over Cañete property.' [October 28, 2021. Also see: El desconcierto.cl, [Corte de Apelaciones rechaza demanda de Forestal Mininco y reconoce terreno mapuche](#). [Court of Appeals dismisses claim of Forestal Mininco and recognizes Mapuche territory], October 28, 2021.

⁷³ Instagram. [Cuenta oficial de Gender Affairs Antigua y Bermuda](#), Official Account of Gender Affairs of Antigua and Barbuda, viewed on November 30, 2021; Instagram. [Cuenta oficial de Support & Referral Centre](#), Official Account of Support and Referral Centre, viewed on November 30, 2021.

⁷⁴ Observer. [Gender Affairs official, reveals no spike in domestic violence cases](#), October 26, 2021.

⁷⁵ The Government of The Bahamas. [DGPA continues efforts to address violence with two new grants](#). May 31, 2021.

⁷⁶ Royal Bahamas Police Force. [Meet the Press Nationwide Crime Statistics January- Septiembre 2021](#).

⁷⁷ Barbados Government Information Service. [New Project Links Well With Women's Day Theme](#), March 4, 2021; Barbados Today. [B'dos and UN partner on project to stamp out gender-based violence](#), March 2, 2021.

⁷⁸ Belize Crime Observatory, [Gender-Based Violence](#), 2021.

⁷⁹ National Women's Commission, [NWC-16 Days of Activism Resource Paquet](#), November 5, 2021.

⁸⁰ Radio Canada. [Québec débloque 222.9 millions pour lutter contre la violence conjugale](#), [Quebec appropriates 222.9 million to fight against domestic violence], April 23, 2021.

⁸¹ Toronto Star. [Judge rules key federal sex work laws unconstitutional](#), April 22, 2021; CanLII. [R. v. N.S., 2021 ONSC 2920 \(CanLII\)](#), April 21, 2021; Parliament of Canada. [Bill C-36 Statutes of Canada](#) 2014, 2014.

⁸² [Decreto Presidencial 198/2021](#), Presidential Decree published in Official Gazette No. 14 Special Issue of the Republic of Cuba, March 8, 2021.

IACHR takes note of the actions of the Police of the Commonwealth of Dominica to promote and bring women into the police force.⁸³ Regarding El Salvador, the IACHR welcomes the roll out in March 2021 by the Salvadoran Institute for the Development of Women (ISDEMU) of the initiative “126 Te Orienta”, a multidisciplinary virtual care platform to support women who are experiencing situations of physical, economic, sexual, psychological and other types of violence.⁸⁴ In this same vein, the Commission welcomes the efforts to provide specialized instruction on women’s human rights, targeting public employees and the general public in order to strengthen the response capacity of State institutions, help to reduce gender inequality and discrimination, and to strengthen the capacities of women.⁸⁵ As for the United States, the IACHR welcomes the creation of the Gender Policy Council and the adoption of the National Strategy on Gender Equity and Equality to introduce a gender perspective and intersectional approach into all business of the executive branch of government⁸⁶ The IACHR also welcomes the repeal of federal policies that prevented access to sexual and reproductive health information and services,⁸⁷ particularly the Global Gag Rule and the domestic gag rule,⁸⁸ as well as the restoration of funding for the UNFPA.⁸⁹ In Grenada, the IACHR takes note of progress in the design of a policy on victims of gender violence to ensure that women survivors of violence receive comprehensive care with a human rights-based approach.⁹⁰ Regarding Guatemala, the IACHR notes the roll out of the Comprehensive Care Model for Women Victims of Violence IxKem (MIAMI), a program that centralizes in a single physical space justice, health and economic empowerment agencies in order to provide a comprehensive response to the needs of women survivors of violence.⁹¹ Likewise, it takes note of the campaigns encouraging reporting acts of violence against women,⁹² as well as updating the tool to introduce a human rights, gender and intersectional approach into judgments involving gender violence.⁹³ As for Guyana, the IACHR appreciates the efforts to train agents of the Guyanese Police Force on how to deal with gender violence, with a particular focus on domestic violence.⁹⁴ In Jamaica, the IACHR welcomes the measures taken jointly with the Spotlight initiative and civil society organizations to enhance gender violence victim care; particularly, the opening of new Domestic Violence Intervention Centres (DVICs),⁹⁵ training of front line care workers,⁹⁶ and strengthening reporting

⁸³ Dominica News Online. [Dominica police force to recruit more female officers](#). November 25, 2021.

⁸⁴ Republic of El Salvador, Report of El Salvador requested by the IACHR – Chapter IV A – IACHR 2021 Annual Report, document submitted to the IACHR, September 24, 2021. In IACHR Archives; Plataforma [126teorienta](#); ISDEMU, [Recibe atención confidencial en 126 Te Orienta](#), April 4, 2021

⁸⁵ Republic of El Salvador, Report of El Salvador requested by the IACHR – Chapter IV A – IACHR 2021 Annual Report, document submitted to the IACHR, September 24, 2021. In IACHR Archives

⁸⁶ Twitter, official account of the IACHR. [Tweet 12 de marzo 2021](#); The White House. [National Strategy on Gender Equity and Equality](#), 2021.

⁸⁷ U.S. Department of State., [Prioritizing Sexual and Reproductive Health and Reproductive Rights in U.S. Foreign Policy](#), January 20, 2021.

⁸⁸ HRW. [Estados Unidos: Biden toma pasos para reparar el daño causado por Trump a los cuidados de salud de las mujeres](#), [‘United States: Biden takes steps to repair the harm done by Trump to women’s health care’], May 26, 2021.

⁸⁹ UNFPA. [Declaración del UNFPA sobre la decisión de los Estados Unidos de restablecer la financiación](#), [UNFPA Declaration on the decision of the United States to restore funding’], January 28, 2021.

⁹⁰ Spotlight Initiative. [Grenada drafts gender-based violence victims’ rights policy](#), May 17, 2021.

⁹¹ Presidential Commission for Peace and Human Rights COPADEH. Ref.Of.502-2021-DE/COPADEH/HRCR/LFL/Kg. Document submitted to the IACHR, July 15, 2021.

⁹² Government of Guatemala, Campaign, [Yo Denuncio](#), June 1, 2021; @PNCdeGuatemala, [tweet](#), January 29, 2021 at 17:10 hours; @PNCdeGuatemala, [tweet](#), January 29, 2021 at 18:33 hours.

⁹³ OACNUDH, Guatemala, [Presentación de la herramienta para incorporar el enfoque de derechos humanos, género e interseccionalidad en sentencias sobre violencia de género - actualización 2021](#), [‘Presentation of tools to incorporate a human rights, gender and intersectional approach into judgments on gender violence – update 2021’] August 18, 2021.

⁹⁴ Department of Public Information. [Police ranks begin gender-based violence training](#). November 9, 2021.

⁹⁵ Jamaican Observer. [Response to Domestic Violence Intervention Centres ‘tremendous’ Security Ministry](#). June 9, 2021.

⁹⁶ Ministry of Culture, Gender, Entertainment and Sport. [Gender-based violence training for front-line work](#), April 30, 2021.

channels and crisis assistance centers for women survivors of gender violence.⁹⁷ Additionally, the IACHR welcomes the approval in October of the law expressly forbidding sexual harassment in the work place and creating a specialized special court to hear complaints.⁹⁸ Likewise, it views as a positive step the approval of the cabinet to amend the law on domestic violence in order to strengthen it and expand its definition to include other forms, such as psychological, emotional and sexual violence.⁹⁹ In Mexico, the IACHR welcomes the decision of the Supreme Court of Justice of the Nation (SCJN) to declare unconstitutional the absolute criminalization of voluntary termination of pregnancy, as codified in the State of Coahuila,¹⁰⁰ as well as conscientious objection as regulated in the General Health Law, on the grounds of a lack of guidelines and limits required to enforce it,¹⁰¹ and welcomes the judgment of the SCJN on non-consensual sterilization of women¹⁰² and surrogate gestation.¹⁰³ Additionally, the Commission welcomes the decriminalization of abortion in the federal entities of Veracruz,¹⁰⁴ Hidalgo,¹⁰⁵ Baja California,¹⁰⁶ and Colima.¹⁰⁷ The State also reported the creation of six Justice for Women Centers and the strengthening of another five centers in federal entities to provide comprehensive care to women victims of gender violence.¹⁰⁸ In Panama, the IACHR welcomes the approval of Law 223 of 2020 in February 2021, amending Law 82 of 2013 and Law 7 of 2018 to include provisions describing conduct that constitutes political violence against women and the rights victims of violence in the workplace are entitled to.¹⁰⁹ As for the Dominican Republic, the IACHR welcomes the creation under Decree 1-21 of the Women's and Girl's Cabinet, under the Ministry of Women, whose mandate is to achieve and ensure effective implementation and design of comprehensive policies to prevent, provide assistance, prosecute, punish, redress and eradicate violence against women and girls in its different forms and spheres.¹¹⁰ The IACHR also takes a positive view of the efforts to enhance and expand services at Shelters and Refuges, spaces for temporary stays and comprehensive care for women, and the children under 14 years of age who are under their charge, facing situations of gender violence.¹¹¹ Additionally, the IACHR welcomes enactment of Law No. 1-21, prohibiting persons under the age of 18 from contracting marriage, recognizing that legalizing such

⁹⁷ UNFPA, [Supporting survivors of family violence- working with Women Inc. and the Bureau of Gender Affairs Jamaica](#), June 29, 2021.

⁹⁸ Jamaican Parliament, [The Sexual Harassment Act](#), 2021; Ministry of Culture, Gender, Entertainment and Sport. [Grange welcomes passage of sexual harassment legislation](#), October 15, 2021.

⁹⁹ Ministry of Culture, Gender, Entertainment and Sport, [Cabinet gives nod for Domestic Violence Act to be amended](#). April 30, 2021.

¹⁰⁰ IACHR, <https://twitter.com/CIDH/status/1435688784759230466>, September 8, 2021; SCJN, Press Release no. 271/2021, Suprema Corte declara inconstitucional la criminalización total del aborto ['Supreme Court declares total criminalization of abortion unconstitutional'], September 7, 2021.

¹⁰¹ SCJN, The Supreme Court of Justice of the Nation (SCJN) strikes down provision of General Health Law providing for conscientious objection of medical and nursing staff without establishing the necessary safeguards to ensure the right to health, Release No. 276/2021, September 20, 2021.

¹⁰² SCJN. [Comunicado de Prensa No. 148/2021](#), Press Release No. 148/2021, May 26, 2021.

¹⁰³ SCJN. [Comunicado de Prensa No. 158/2021](#), Press Release No. 158/2021, June 3, 2021.

¹⁰⁴ Congress of the State of Veracruz, [Gaceta legislativa No. 137](#), [Legislative Gazette], July 20, 2021, pg. 2.

¹⁰⁵ Official Periodical of the State of Hidalgo, [Decreto No. 278](#), July 6, 2021.

¹⁰⁶ Legislature of the State of California. [Comunicado 193](#), October 26, 2021.

¹⁰⁷ Honorable Congress of the State of Colima, [Congreso local aprueba la interrupción legal del embarazo hasta las 12 semanas](#), December 1, 2021.

¹⁰⁸ Report of the Mexican State, Chapter IV. September 18, 2021, par. 126 to 132.

¹⁰⁹ Official Digital Gazette, [No. 29235](#), Law 202 of March 8, 2021.

¹¹⁰ President of the Dominican Republic, [Decreto 1-21](#), January 5, 2021.

¹¹¹ Ministry of Women, [Ministerio de la Mujer trabaja en la mejora de los servicios en las Casas de Acogida y en dar una respuesta integral a las víctimas de violencia](#), ['Ministry of Women works to improve services at shelters and to provide a comprehensive response to victims of violence'], February 25, 2021; Office of the President of the Dominican Republic. [Presidente Abinader pone en funcionamiento doce casas de acogida para víctimas de violencia de género](#), ['President Abindader puts into operation shelter homes for victims of gender violence'], May 4, 2021.

unions has a particularly detrimental effect on adolescent girls because it limits their opportunities for development and exposes them to violence.¹¹² In Saint Vincent and the Grenadines, the IACHR appreciates the efforts of the State, along with United Nations agencies, in the context of the EnGenDer" Program, with the aim of providing gender-sensitive responses in natural disaster contexts, such as Soufrière Volcano in April 2021. Particularly, it takes note of the drafting of a report noting the risks of gender-based violence at shelters, as well as the recommendations to mitigate these risks. It also takes note of the sensitization workshops on gender violence given at emergency shelters to ensure the dissemination of information on channels to obtain care and services.¹¹³ In Saint Lucia, the IACHR appreciates the efforts of the State, in conjunction with United Nations agencies, to improve comprehensive care for survivors of gender-based violence, including timely access to professional services and up-to-date information on channels of assistance.¹¹⁴ As for Suriname, the IACHR welcomes the broad participation of women on the Court of Justice, making up 55% of its members.¹¹⁵ Additionally, it takes a positive view that the Gender Affairs Agency has joined the United Nations' 16 Days of Activism Campaign against Gender Violence to issue a call to Ministries, government agencies, among others, to take measures to raise awareness and reduce violence against women.¹¹⁶ In Trinidad and Tobago, the IACHR appreciates the efforts to provide training in the framework of the Spotlight Initiative, targeting front line workers of the health sector in order to build competencies to identify violence in the clinical context and provide support to survivors.¹¹⁷ The IACHR also takes note of the decrease in cases of sexual violence, as compared to the previous year. According to official information, from January to October 2021, 301 cases of rape, incest and sexual assault were reported, in comparison to 372 cases over the same period in 2020.¹¹⁸

34. On the subject of the rights of **lesbian, gay, bisexual, trans and gender-diverse and intersex persons (LGBTI)**, in Canada, the IACHR takes note of the updated information provided by the State about implementation of the 2SLGBTQIA+ action plan which, among other things, establishes guidelines for the creation of capacities and the development of infrastructures with culturally relevant 2SLGBTQIA+ facilities throughout the country, as well as establishing a national 2SLGBTQIA+ committee and, potentially, a specific Secretariat.¹¹⁹ Likewise, the Commission welcomes the amendment to the Canadian Criminal Code banning attempts to change or suppress sexual orientation, gender identity or expression.¹²⁰ The C-4 amendment was approved by the House of Commons and by the Senate on December 1 and 7, respectively, entered into force 30 days after its enactment, on December 8. It prohibits attempts to change or suppress the sexual orientation, gender identity or expression of a person, and prohibits LGBTI children and adolescents from being taken abroad to perform these harmful practices on them outside of Canada.¹²¹ In Colombia, the IACHR welcomes the adoption of the Policy on equality and non-discrimination for reasons of sex, gender, gender identity, gender expression and sexual orientation in the Special Jurisdiction for Peace (JEP), on March 8, 2021, in order to promote equality, non-violence and non-discrimination in the administration of justice and internal workings

¹¹² The National Congress [Ley No.121](#), January 12, 2021.

¹¹³ EnGenDER. [Confronting Gender Disparities and Multiple Hazard Events: A Caribbean Reality Newsletter Edition 3](#), August, 2021.

¹¹⁴ Government of Saint Lucia. [Gender-Based Violence referral pathways for Saint Lucia](#), Julio 21, 2021.

¹¹⁵ Rechtspraak Suriname. [Viertentwintig Jaar Vrouwelijke rechters in Suriname](#), 2021.

¹¹⁶ Bureau Gender Aangezigheden, [Sixteen Days of Activism Against Gender Based Violence Campaign](#), 2021.

¹¹⁷ PAHO. [PAHO Trinidad and Tobago builds capacity to respond to gender-based violence under the Spotlight initiative](#), 20 agosto, 2021.

¹¹⁸ Trinidad & Tobago Police Service. [Total Crime by Offence Comparative Report](#), viewed on December 1, 2021.

¹¹⁹ Government of Canada, [2021 National Action Plan](#), pg. 44.

¹²⁰ House of Commons of Canada, [Bill C-4 An Act to Amend the Criminal Code \(Conversion Therapy\)](#), as passed by the House of Commons, February 19, 2021.

¹²¹ IACHR, P.R.. 341, [CIDH saluda la enmienda del Código Penal que prohíbe los intentos de modificar la orientación sexual, identidad y expresión de género en Canadá](#), IACHR welcomes the amendment to Canada's Criminal Code that prohibits attempts to modify sexual orientation, gender identity and gender expression, December 16, 2021.

of this jurisdiction.¹²² Likewise, the Commission welcomes the statement of the Office of the Attorney General of the Nation that it will continue to attach a high priority to the investigation into crimes with LGBTI victims in areas with the highest concentration of cases, including Cali, Medellín, Bogotá, Barranquilla, Antioquia, Santander, Magdalena and Arauca.¹²³ The IACHR also recognizes the efforts of the Office of the Prosecutor of Colombia to train prosecutorial staff to ensure criminal investigations with a diversity perspective.¹²⁴ As for Cuba, the IACHR takes note of the publication of a draft Family Law Code which, if approved, would recognize access to the legal institution of marriage without discrimination.¹²⁵ Likewise, the IACHR hails and welcomes¹²⁶ the approval and enactment of the law recognizing marriage equality in Chile on December 7 and 9, 2021, respectively. This law allows same-sex couples to marry and adopt minors guaranteeing them the respective legal protection.¹²⁷ Regarding the United States, the Commission welcomes enactment of an Executive Order of January 20, 2021, instructing government agencies to take steps to prevent and combat discrimination for reasons of gender identity or sexual orientation, including reviewing regulations and policies.¹²⁸ It also welcomes the approval, in the House of Representatives, if it is approved in the Senate, of the Equality Act which forbids discrimination on the basis of sex, including sexual traits, gender identity and sexual orientation.¹²⁹ In Guyana, the Commission welcomes the repeal of Section 153 (1) (XLVII) of the Summary Jurisdiction (Offences), Chapter 8:02, of Guyana, which criminalized the use of garments of clothing socially attributed to the other gender (cross-dressing).¹³⁰ The amendment repealing the aforementioned article was approved online with the decision of the Caribbean Court of Justice (CCJ), which declared the criminalization of such conduct unconstitutional in 2018.¹³¹ Additionally, the Commission welcomes the State's commitment to eradicate discrimination against persons living with HIV, to continue the Pre-Exposure Prophylaxis program and to meet the needs of LGBTI persons.¹³² In Mexico, the IACHR takes a positive view of the adoption of laws recognizing the right to marriage equality in Baja California, Guanajuato, Querétaro, Sinaloa, Sonora, Yucatán and Zacatecas.¹³³ Likewise, the Commission welcomes progress in recognizing the right to gender identity in

¹²² JEP, [Acuerdo AOG No. 06 de 2021](#), March 8, 2021.

¹²³ Office of the Attorney General of the Nation, [Fiscalía General de la Nación, firme en la lucha contra la discriminación basada en identidad de género u orientación sexual](#), [‘Office of the Attorney General of the Nation, steadfast in fight against discrimination based on gender identity or sexual orientation’], May 17, 2021.

¹²⁴ Office of the Attorney General of the Nation, [Fiscalía General de la Nación, firme en la lucha contra la discriminación basada en identidad de género u orientación sexual](#), [‘Office of the Attorney General of the Nation, steadfast in fight against discrimination based on gender identity or sexual orientation’], May 17, 2021.

¹²⁵ Ministry of Justice, [Anteproyecto Código de las Familias versión 22](#), Draft Family Code Version 22, August 01, 2021.

¹²⁶ IACHR, P.R. No. 330, [CIDH celebra reconocimiento de matrimonio igualitario en Chile](#), IACHR Welcomes Recognition of Same-Sex Marriage in Chile, December 9, 2021.

¹²⁷ France 24, [El Presidente chileno, Sebastián Piñera, promulgó la ley de matrimonio igualitario](#), [‘Chilean President, Sebastian Piñera, signed the marriage equality act into law’], December 10, 2021.

¹²⁸ IACHR, pronouncement on Twitter, available at: <https://twitter.com/cidh/status/1352382767603003395?lang=en>, 21 enero, 2021.

¹²⁹ IACHR, pronouncement on Twitter: <https://twitter.com/CIDH/status/1366774225076387841>, March 2, 2021.

¹³⁰ Parliament of the Co-operative Republic of Guyana, [Summary Jurisdiction \(Offences\) \(Amendment\) Act 2021](#), August 11, 2021.

¹³¹ The Caribbean Court of Justice, [McEwan and others v Attorney General of Guyana](#), 13 November 2018.

¹³² IACHR [@CIDH]. (June 16, 2021). *La #CIDH saluda las declaraciones del Presidente de la República Cooperativa el #8Junio, indicando que su gobierno trabajará para proteger a las personas que viven con #VIH contra toda forma de discriminación, tanto en el sector público como en el privado.* [‘IACHR welcomes the statements of the President of the Republic on June 8, noting that his government will work to protect persons living with HIV against all forms of discrimination, both in the public and private sector’] [Tweet]. Twitter. <https://twitter.com/CIDH/status/1405250170099539975?s=20>. Parliament of the Co-operative Republic of Guyana, [Summary Jurisdiction \(Offences\) \(Amendment\) Act 2021](#), August 11, 2021.

¹³³ IACHR, <https://twitter.com/CIDH/status/1441405408791334914?s=20>, September 24, 2021; IACHR, <https://twitter.com/CIDH/status/1431265577419649029?s=20>, August 27, 2021; IACHR, Congress of Sinaloa, [Sinaloa dice sí al matrimonio igualitario Extiende Congreso del Estado matrimonio y concubinato a personas del mismo sexo](#), [‘Sinaloa says yes to marriage equality Congress of the State extends marriage and domestic partnership to same sex’] June 15, 2021; Animal Político, [Congreso de Baja California también aprueba reforma para reconocer el matrimonio igualitario](#), [‘Congress of Baja California also approves amendment

Baja California Sur, Puebla, State of México and Morelos,¹³⁴ including recognition of gender identity of trans infants in Oaxaca.¹³⁵ As for Honduras, the Commission welcomes the support and publicity that the CONADEH-Ombudsman's Office have provided with respect to the cases of violence and discrimination against LGBTI persons.¹³⁶ With regard to the Dominican Republic, the Commission takes note of the introduction of a draft Criminal Code that would make discrimination a crime for the first time ever and also make sexual orientation a protected category. This is based on the version approved by the Senate and sent to the House of Deputies on November 24, 2021; however, this bill does not include gender identity or expression as prohibited grounds for discrimination.¹³⁷

35. Regarding measures taken to protect the human rights of **Afro-descendants and to fight against racial discrimination**, the IACHR takes note, based on available sources, of the motion introduced by the Vice Prime Minister and member of the House of Representatives of Belize on the reparatory justice plan for the transatlantic slave trade and slavery when the country was British Honduras. The government of this country proposes filing a case to determine whether the United Kingdom is responsible for the illegal seizure, transportation and subsequent enslavement of African persons in Belize under British colonial rule until 1833. Also, in Guyana, the IACHR takes note of the statements of the country's president to the effect that he will continue supporting the efforts made by the Caribbean Community to promote an international summit to demand reparative justice for the victims of the transatlantic slave trade.¹³⁸ Additionally, in Canada, the IACHR notes that, according to available public information, a judge of the police ethics board found two Montreal police officers responsible for racial profiling, excessive use of force and unlawful arrest of a 54 year-old Afro-descendant man in 2017¹³⁹ and also takes note of the call issued by elected officials of that city to the police force of Montreal to take steps to eradicate racial profiling and overhaul how police engage with minorities.¹⁴⁰ Regarding Colombia, we note the adoption of external circular No. 1640 de 2021 of Decree No. 1640 of 2020, whose purpose is to improve and strengthen the National Single Public Registry of Community Councils and other organizational expressions of the Black, Afro-Colombian, Raizal and Palenquera Communities (NARP, from the Spanish language acronym).¹⁴¹ Likewise, the State reported on implementation by the Ministry of the Interior of the strategy known as "NARP Women: from participation to guarantee of rights, the power of 3 E: Equity, Empowerment and Ethnodevelopment" with a view to providing a response to specific needs and strategic interests based on the worldview of Black, Afro-Colombian, Raizal and Palenquera (NARP) Women.¹⁴²

recognizing marriage equality'], June 16, 2021; El País, [El conservador Estado de Querétaro aprueba el matrimonio homosexual](#), [The conservative state of Queretaro approves same sex marriage], September 22, 2021; Expansión Política, [El Congreso de Sonora le dice "Sí" al matrimonio igualitario](#), [The Congress of Sonora says "Yes" to marriage equality], September 23, 2021; Expansión Política, [El Congreso de Yucatán aprueba el matrimonio igualitario](#), [The Congress of Yucatan approves marriage equality], August 25, 2021.

¹³⁴ El Financiero, [Congreso de Puebla avala 'Ley Agnes', que reconoce identidad de género autopercibida](#), [Congress of Puebla endorses "Agnes Law" which recognizes self-perceived gender identity'], February 25, 2021; El Heraldo de México, [BCS aprueba 'ley trans' y tipifica como delito las 'terapias de conversión'](#), [BCS approves "trans Law" and criminalizes "conversion therapies"], June 29, 2021; Animal Político, [Congreso del Edomex aprueba ley trans por el derecho al cambio de identidad de género](#), [Congress of State of Mexico approves trans law for the right to change gender identity'], July 20, 2021; Morelos 24, [Aprueban Ley de Identidad de Género en Congreso de Morelos](#), [Law on gender identity approved in Congress of Morelos'], September 9, 2021.

¹³⁵ Expansión Política, [Oaxaca aprueba que menores de edad elijan su identidad de género](#), [Oaxaca approves minors choosing their gender identity'], October 5, 2021.

¹³⁶ CONADEH, [Violencia, estigma y discriminación contra personas LGTBI son graves violaciones a sus derechos humanos](#), [Violence, stigma and discrimination against LGBTI persons are serious human rights violations] November 24, 2021.

¹³⁷ Senate of the Dominican Republic, [Proyecto de ley del Código Penal de la República Dominicana](#), [Draft law of the Criminal Code of the DR], approved by the Senate in session on November 23, 2021.

¹³⁸ Stabro Eknews, [Ali voices support for reparations](#), August 1, 2021.

¹³⁹ CBC, [Police ethics committee finds Montreal officers guilty of racial profiling](#), October 17, 2021.

¹⁴⁰ CBC, [Cut down on street checks and make ban on racial profiling explicit, Montreal officials tell SPVM](#), February 26, 2021.

¹⁴¹ Republic of Colombia, Submissions from Colombia for the drafting of the 2021 IACHR Annual Report – Chapter IV, Section A "Annual overview of the situation of human rights by country", p-30, par. 162.

¹⁴² Republic of Colombia, Submissions from Colombia for the drafting of the 2021 IACHR Annual Report – Chapter IV, Section A "Annual overview of the situation of human rights by country", p-31, par. 164.

Along these same lines of progress, the Commission welcomes the prior consultation that was conducted for the adoption and implementation of the public policy for black, Afro-Colombian, Raizal and Palenquera communities (CNARP, from its Spanish acronym) of the department of Huila. According to available information, the Government carried out this process with legal representatives of 11 CNARP organizations.¹⁴³ In the United States, the IACHR highlights the passing of the “2021 George Floyd Police Justice Act” by the House of Representatives and currently before the Senate. The purpose of this law is to improve accountability in the policing system and to try to combat racial bias in the conduct of law enforcement agents.¹⁴⁴ In this country, the Commission also noted that the United States Congress voted to approve bill H.R. 40, on reparations for the transatlantic slave trade. The bill provides for the creation of a federal commission to study the legacy of slavery in the United States, and to develop proposals to provide Afro-Americans with reparation.¹⁴⁵

36. In relation to the rights of **persons with disability**, the Commission takes note, in Barbados, of the initiative for adequate management of public spaces¹⁴⁶ and adaptability of means of transportation to accommodate persons with disabilities.¹⁴⁷ Also, in Canada, the IACHR welcomes the rulings recognizing the existence of systematic discrimination against this population and seeking to guarantee community based support services to persons with disability,¹⁴⁸ and notes the Law to create the “Canadian disability benefit,” which would supplement the federal and territorial support to combat poverty among this population group.¹⁴⁹ The Commission also underscores efforts to manage the processes of participation with a view to learning the opinion of persons with disabilities regarding the development of inclusion strategies,¹⁵⁰ and to grant economic benefits for this purpose, including the Skills Development Fund for training staff with disabilities,¹⁵¹ and investments for social programs creating accessible and inclusive spaces.¹⁵² Additionally, in the United States, the IACHR takes note of measures implemented to ensure the social and economic rights of this population, particularly, resources and regulations for health services, employment, housing and other programs aimed at mitigating the effects of the COVID-19 pandemic.¹⁵³ As for Guatemala, the Commission notes the measures taken to ensure the right to free movement in public buildings and transportation,¹⁵⁴ and promoting sports-related activities with accessible spaces.¹⁵⁵ Next, with regard to Guyana, the Commission takes note of the

¹⁴³ Gobernación del Huila, [Consulta previa para la adopción e implementación de la Política Pública Afro en el Huila](#), [‘Prior consultation for the adoption and implementation of the Afro Public Policy in Huila’], October 12, 2021.

¹⁴⁴ Congress.Gov, [H.R.1280 - George Floyd Justice in Policing Act of 2021](#), March 3, 2021; *also see* El País, [La Cámara de Representantes aprueba la legislación George Floyd contra los abusos policiales en EE UU](#), [‘House of Representatives approves George Floyd Law against police abuses in US’], March 03, 2021.

¹⁴⁵ Human Rights Watch, [US: Congress Advances Salavery Reparations Bill](#), April 9, 2021.

¹⁴⁶ Barbados Advocate, [Disabled community to benefit from green space project. 03 de noviembre de 2021. November 3, 2021](#)

¹⁴⁷ Barbados Advocate, [Lack of housing por persons with disabilities a concern. 19 de marzo de 2021. March 19, 2021](#)

¹⁴⁸ Disability Rights Coalition of Nova Scotia, [Nova Scotia Court of Appeal Rules in Favour of People with Disabilities](#), October 7, 2021.

¹⁴⁹ Government of Canada, [Government of Canada introduces legislation to create the new Canada Disability Benefit](#), June 22, 2021.

¹⁵⁰ Government of Canada, [Canadians invited to help shape Canada’s first Disability Inclusion Action Plan](#), June 04, 2021.

¹⁵¹ Newsroom Ontario, [Ontario Providing Additional Investment into Skills Development Fund](#), September 30, 2021.

¹⁵² Government of Canada, [Government of Canada invests in training for persons with disabilities to create a more inclusive workforce and stronger economy](#), August 13, 2021.

¹⁵³ Disability Scoop, [House approves largest investment ever in community-based service](#), November 29, 2021; Marshall Independent, [Pandemic shows value of remote work for disabled employees](#), September 27, 2021.

¹⁵⁴ Office of the Ombudsman for Persons with Disabilities of the Office of the Special Prosecutor for Human Rights, [Informe de supervisión sobre la accesibilidad para personas con discapacidad a edificios públicos y medios de transporte](#), [‘Oversight report on accessibility for persons with disability to public buildings and means of transportation’], July 2021.

¹⁵⁵ Office of the Ombudsman for Persons with Disabilities of the Office of the Special Prosecutor for Human Rights, [Informe de supervisión al acceso a la cultura, deporte, recreación y esparcimiento](#), [‘Oversight report on access to culture, sports, recreation and leisure’], June 2021.

State's efforts to strengthen public policies,¹⁵⁶ especially initiatives aimed at providing access to training programs¹⁵⁷ and employment,¹⁵⁸ and the production of disaggregated statistics to shed light on the situation of this segment of the population.¹⁵⁹ In Panama, the IACHR highlights public policies aimed at inclusion of this population in the work force, especially, training provided by the National Disability Secretariat¹⁶⁰ and financing programs for productive projects.¹⁶¹ Likewise, the Commission takes note of training on the topic of the rights of persons with disabilities provided by the Office of the Ombudsman.¹⁶² In Peru, the Commission welcomes the ruling of the Peruvian Constitutional Court of July 1, 2021, ordering the courts to avoid the use of pejorative terms for persons with disability.¹⁶³ It further highlights efforts to help this population be able to access public transportation free of charge.¹⁶⁴ The Commission received information about increasing the number of persons with disability formally employed in the country from the current total of 7,600¹⁶⁵ and creating the platform "Employment and persons with disability" to promote accessibility of information and entry into the labor force.¹⁶⁶ Also, in the Dominican Republic, the Commission notes the agreement reached between the Central Electoral Board (JCE), the Town Hall of the National District (ADN) and the National Council on Disability (Conadis) to implement measures to ensure full and effective participation of persons with disability on an equal footing.¹⁶⁷ The IACHR also takes note of initiatives aimed at strengthening access to the education system of persons with disability, particularly, those intended to build institutional capacity to meet the needs ¹⁶⁸ of this population and of the program "It is my Right, Include Me," which promotes the participation of children and adolescents with cerebral palsy in the education system, among other inclusive measures.¹⁶⁹

37. As for measures to protect the rights of **persons in a situation of human mobility**, including migrants, refugees seeking international protection, stateless persons, victims of human trafficking and persons in a situation of internal displacement in Argentina, the IACHR welcomes the publication of the Decree

¹⁵⁶ Department of Public Information, [\\$120M to support persons living with disabilities](#), February 14, 2021.

¹⁵⁷ News room, [Human Services Minister meets with Disabled People's Network, 01 de julio de 2021, July 1, 2021](#)

¹⁵⁸ Department of Public Information, [Society must be "reorganised" to include persons with visual disability](#), November 09, 2021.

¹⁵⁹ Department of Public Information, [\\$120M to support persons living with disabilities](#), February 14, 2021.

¹⁶⁰ En segundos, [Personas con discapacidad de áreas comarcales recibirán capacitación para emprender negocios](#), [Persons with disability of outlying areas will receive training on entrepreneurship], September 28, 2021.

¹⁶¹ Republic of Panama, [Ejecutivo sanciona leyes a favor de las personas con discapacidad, y atención integral de niños y adolescentes](#), [Executive branch enacts laws favoring persons with disabilities and comprehensive care of children and adolescents], May 27, 2021.

¹⁶² Office of the Ombudsman, [Estudiantes veraguenses reciben capacitación virtual en "Derechos de los Niños, Niñas y Adolescentes y Discapacidad"](#), [Students from Veraguas receive virtual training on "Rights of children and adolescents and disability"], September 07, 2021; Office of the Ombudsman, [Capacitan a personas con discapacidad sobre sus derechos](#), [Persons with disabilities trained on their rights], March 13, 2021.

¹⁶³ Constitutional Court, [Pleno. Sentencia 729/2021](#), Plenary Judgment, July 01, 2021.

¹⁶⁴ Peru 21, [Personas con discapacidad severa podrán usar el transporte público de forma gratuita](#), [Persons with severe disability will be able to use public transportation free of charge], September 7, 2021.

¹⁶⁵ Andina, [Gobierno busca aumentar empleo formal en personas con discapacidad](#), [Government seeks to increase formal employment among persons with disability], June 7, 2021.

¹⁶⁶ Type, Noticias, [Ejecutivo lanza sitio web "Empleo y personas con discapacidad"](#), [Executive branch launches website "Employment and persons with disability"] June 3, 2021.

¹⁶⁷ Conadis, [ICE, ADEN y Conadis firman acuerdo para la implementación de políticas que aseguren la participación de personas con discapacidad en igualdad de condiciones](#), [CE, ADEN and Conadis sign agreement to implement policies that ensure the participation of persons with disability on an equal footing], May 18, 2021.

¹⁶⁸ Conadis, [Conadis participa en firma de convenio entre MinerD y Patronato Nacional de Ciegos](#), [Conadis participates in signing of agreement between MinerD and National Association of the Blind], September 28, 2021.

¹⁶⁹ Hoy, [Educación lanza el programa "Es mi Derecho, Inclúyeme"](#), [Education launches the program "It's my right, Include me"], October 06, 2021.

on Need and Urgency No. 138/21 of March 4, 2021, repealing Decree 70/17, which restricted the scope of the Migration Law by establishing obstacles in access to migratory rights and protections in the country.¹⁷⁰ With respect to the foregoing, the State reported to the Commission that that decree was approved in compliance with the recommendations issued by the Committee on the Rights of the Child (CRC) and the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW).¹⁷¹ Likewise, in Argentina, the IACHR takes note of information provided by the State on the opening of the center for the integration of migrants and refugees on June 18, 2021. On this score, it noted that this center offers a comprehensive space for migrants and refugees to be able to: i) obtain orientation and accompaniment on migration procedures, ii) attend courses and workshops on integrating into society and the workforce; iii) receive Spanish language classes; and, iv) participate in cultural activities to facilitate their integration.¹⁷² In relation to children and teenagers in a situation of mobility, the IACHR welcomes the publication of Order 1891/2021 of the National Migration Office of Argentina, which sets forth the “Special Regime for the Regularization of Venezuelan Migrant Children and Adolescents.” According to official information, the aforementioned order seeks to give priority to requests for residency of this population in the country.¹⁷³ In Bolivia, the IACHR can take note of the passing of Supreme Decree No. 4576 of August 26, 2021, which makes regular—for up to two years—the immigration status of persons in an irregular situation in Bolivian territory.¹⁷⁴ Additionally, the Commission learned that the Ministry of Health and Sport, in conjunction with the International Organization for Migration (IOM), enabled foreigners to register in the Single Health System, in order to provide access free of charge to comprehensive health care services for migrants, particularly, populations in vulnerable situations.¹⁷⁵ In Brazil, the Commission notes that according to figures from the United Nations High Commissioner for Refugees (UNHCR), more than 50,000 Venezuelans have been internally relocated, which helped to reduce the pressure on border communities and to foster the integration of migrants and refugees into local life.¹⁷⁶ As for Colombia, the IACHR welcomes the adoption of Temporary Protection Status for Venezuelans (ETPV), under which the State expects to regularize the stay of more than 1.8 million Venezuelans in the country for 10 years.¹⁷⁷ Additionally, the Commission welcomes progress in reducing the number of cases of statelessness among children and the sons and daughters of Venezuelans born in Colombia. In that context, the IACHR notes that the National Registration Office and the Ministry of Foreign Affairs

¹⁷⁰ IACHR [@CIDH]. (March 7, 2021). *La CIDH saluda la publicación del Decreto 138/21 de #4marzo, que derogó el Decreto 70/17.* [“The IACHR welcomes the publication of Decree 138/21 of March 4, which repeals Decree 70/17”] [Tweet]. Twitter. <https://twitter.com/CIDH/status/1368613326125756418>. Official Bulletin of the Argentine Republic, Argentina, [Decreto 138/2021: DECNU-2021-138-APN-PTE - Decreto N° 70/2017. Derogación](#), March 4, 2021.

¹⁷¹ Argentine Republic, Response to Article 41 ACHR request – 2021 Annual Report of the Inter-American Commission on Human Rights, September 10, 2021, pgs. 4 and 5.

¹⁷² Argentine Republic, Response to Article 41 ACHR request – 2021 Annual Report of the Inter-American Commission on Human Rights, September 10, 2021, pg. 17.

¹⁷³ National Migration Office, Argentina, [Disposición 1891/2021 de la Dirección Nacional de Migraciones](#), [Order 1891/2021 of the National Migration Office], July 8, 2021.

¹⁷⁴ Official Gazette of Bolivia, Bolivia, [Regularización excepcional migratoria de personas extranjeras que se encuentran en territorio boliviano en situación irregular: Decreto Supremo N° 4576](#), [“Exceptional migration regularization of foreigners who are in Bolivian territory in an irregular situation: Supreme Decree No. 4576”], August 25, 2021.

¹⁷⁵ Ministry of Health and Sport, Bolivia, [“SUS habilita inscripción para atención gratuita en salud a migrantes que viven en Bolivia”](#), [“SUS opens registration for free health care to migrants who live in Bolivia”], September 5, 2021. IOM, [“El Ministerio de Salud y Deportes de Bolivia y la OIM cierran la Campaña de Adscripción de la Población Migrante al Sistema Único de Salud”](#), [“Ministry of Health and Sport of Bolivia and the IOM close Campaign of Assignment of Migrant Population to the Single Health System”], September 22, 2021. Ministry of Health and Sport, Bolivia, [“Cerca De 2.000 Migrantes Que Viven En Bolivia Podrán Acceder A Atención En Salud Gratuita Mediante El Sus”](#), [“Nearly 2,000 migrants who live in Bolivia will be able to access health care free of charge through the SUS”], September 22, 2021.

¹⁷⁶ United Nations, [“Las reubicaciones en Brasil ofrecen dignidad y esperanza a miles de venezolanos”](#), [“Relocation in Brazil offers dignity and hope for thousands of Venezuelans”], April 20, 2021.

¹⁷⁷ Government of Colombia, Ministry of Foreign Affairs (Migration), Rules, [Por medio del cual se adopta el Estatuto Temporal de Protección para Migrantes Venezolanos](#) – [Adopting temporary protection status for Venezuelan migrants] Decree 216 of March 1, 2021, April 15, 2021.

extended the “Children First” measure for a two-year period, under Resolution 8617 of August 19, 2021.¹⁷⁸ UNHCR’s most recent figures show that as of August 12, 2021, the implementation and extension of the measure had benefited more than 63,186 children.¹⁷⁹ In Costa Rica, the IACHR learned of the announcement issued by the Ministry of Foreign Affairs and the Ministry of Health, on July 27, 2021, about implementation of a mechanism to ensure availability of COVID-19 vaccines for all people in the context of human mobility; particularly, for people whose migration status is not regular in the country.¹⁸⁰ Also, in the area of statelessness, the IACHR notes that on August 18, 2021, the Inter-Institutional Liaison Commission on Statelessness began to operate. According to official information, the aforementioned Commission seeks to coordinate efforts between the institutions that comprise it to: i) detect and resolve existing situations of statelessness; ii) prevent new cases from spiking; and iii) protect stateless persons or those at risk of becoming stateless from being so by seeking and adopting lasting solutions to the problem.¹⁸¹ As for Ecuador, the IACHR welcomes the decision of the government to implement a new process of regularization for Venezuelans residing in that country.¹⁸² Based on information available to the Commission, the new process of regularization is complemented by economic integration strategies to ensure access of this population to the labor market.¹⁸³ Likewise, the IACHR welcomes the judgment of the Constitutional Court recognizing the migratory regularization and family reunification of children and adolescents in human mobility.¹⁸⁴ With respect to El Salvador, the Commission takes note of information provided by the State on implementation of phase II of the Territorial Control Plan, which aims to prevent violence and insecurity as root causes forcing people to become displaced.¹⁸⁵ It also takes note of the drafting of an amendment to the Law on the Determination of Refugee Status. This amendment would seek to develop best practices to provide for more specific coordination between the State institutions involved in this procedure.¹⁸⁶ As for the United States, the IACHR appreciates the efforts of the State to mitigate the effects of the family separation policy implemented during the previous term, and to seek family reunification, as well as the strategies to directly compensate the affected families and promote non-

¹⁷⁸ Ministry of Foreign Affairs, Colombia, [“Colombia comprometida con la prevención de la apatridia de niñas y niños nacidos en Colombia”](#), [‘Colombia committed to prevention of statelessness of children born in Colombia’], August 30, 2021.

¹⁷⁹ UNHCR, [UNHCR Colombia context and response August 2021](#), October 11, 2021.

¹⁸⁰ IACHR, Request for information from the State of Costa Rica, Note 425/21/CIDH/SE/MPCT-Art.41, IACHR Archive, August 25, 2021. IACHR [@CIDH]. (August 2, 2021). *CIDH saluda la decisión del Gobierno de iniciar gestiones para asegurar la disponibilidad de las vacunas contra COVID19 a las Personas Migrantes* [‘IACHR welcomes the decision of the government to start taking steps to ensure availability of COVID19 vaccines to migrants’] [Tweet]. Twitter. <https://twitter.com/CIDH/status/1422305449890693125?s=20>

¹⁸¹ Ministry of Foreign Affairs and Worship, Costa Rica, [“Costa Rica avanza en sus esfuerzos hacia la erradicación y abordaje integral de la apatridia”](#), [‘Costa Rica makes progress in its efforts to eradicate and comprehensively address statelessness’], August 18, 2021. Costa Rican Legal Information System, Costa Rica, [Crea Comisión de enlace institucional en materia de apatridia: Decreto N°. 42794-RE](#), [‘Institutional Liaison Commission created on subject of statelessness’], December 10, 2020.

¹⁸² UNHCR, [El 82% de las personas en movilidad humana en Ecuador estaría en riesgo si tuviera que regresar a su país, según un estudio de ACNUR](#), [‘82% of migrants in Ecuador would be at risk if they had to return to their country, according to a UNHCR study’], August 2, 2021. [Cómo las organizaciones regionales de la sociedad civil muestran solidaridad con las personas migrantes y refugiadas venezolanas](#), [‘How regional civil society organizations show solidarity with Venezuelan migrants and refugees’], October 14, 2021.

¹⁸³ Latin American Economic System of the Caribbean, [Ecuador y Colombia alientan con sus medidas de integración para migrantes venezolanos](#), [‘Ecuador and Colombia are encouraging with their measures of integration for Venezuelan migrants’], September 13, 2021. El Universo, [“Ecuador prevé regularizar a unos 450.000 venezolanos, anunció el presidente Guillermo Lasso”](#), [‘Ecuador provides for the regularization of 450,000 Venezuelans, President Guillermo Lasso announced’], September 9, 2021. Ministry of Foreign Affairs, Ecuador, [Plan Integral para la Atención y Protección de la Población Venezolana en Movilidad Humana en Ecuador 2020-2021](#), [‘Comprehensive plan for assistance and protection of the migrant Venezuelan population in Ecuador 2020-2021’], September 2020.

¹⁸⁴ IACHR, [@CIDH]. (October 1, 2021). *#CIDH saluda la sentencia de la Corte Constitucional que reconoce el derecho a la regularización migratoria y reunificación familiar de #NiñasNiñosAdolescentes en #MovilidadHumana*. [‘IACHR welcomes the judgment of the Constitutional Court recognizing the right to migratory regularization and family reunification of migrant children and adolescents’] [Tweet]. Twitter. <https://twitter.com/CIDH/status/1444071334389161985?s=20>.

¹⁸⁵ Republic of El Salvador, Response of the Salvadoran State to the request for information from the Inter-American Commission on Human Rights pursuant to Article 41 of the American Convention on Human Rights regarding regional protection of migrants, October 20, 2021, pg. 1.

¹⁸⁶ Republic of El Salvador, Response of the Salvadoran State to the request for information from the Inter-American Commission on Human Rights pursuant to Article 41 of the American Convention on Human Rights regarding regional protection of migrants, October 20, 2021, pg. 15.

repetition of such a policy. In this vein, it highlights the publication of the Executive Order issued by the President on February 2, 2021, creating the interagency task force to reunite children and adolescents separated from their families on the US-Mexico border.¹⁸⁷ With regard to Honduras, the Commission takes note of the information provided by the State about measures taken to protect the rights of migrants in a context where the number of Haitian migrants and their family members who transit through Honduras is on the rise. These measures include i) conducting vulnerability interviews to identify potential protection needs; ii) access to free health services; iii) distribution of COVID-19 hygiene and biosafety kits, and iv) using Polymerase Chain Reaction (PCR) tests to avoid potential sources of COVID-19 infection.¹⁸⁸ In Peru, the Commission takes note of the decision of the Office of the National Migration Superintendent and the Ministry of Health to include all persons in mobility, regardless of their migratory situation or status, in the National Universal Vaccination Register to get vaccinated against COVID-19.¹⁸⁹ As for Uruguay, the Commission welcomed the decision of the Ministry of Public Health to enable online registration by migrants and asylum seekers to receive COVID-19 vaccines.¹⁹⁰ Based on information available to the IACHR, migrants and refugees in Uruguay are able to register to receive the vaccine against coronavirus; including people who do not have a Uruguayan national identity card.¹⁹¹

38. In relation to **human trafficking**, the IACHR takes note that Antigua and Barbuda introduced standardized operational procedures to refer victims to specific agencies for care and assistance.¹⁹² As concerns Argentina, the Commission takes note of the measures implemented by the State for raids and rescue of victims of human trafficking for labor exploitation purposes on farms and cattle ranches, mostly in the provinces of Rio Negro, La Rioja, Corrientes, Misiones, and Santa Fé.¹⁹³ Likewise, the Commission welcomes the design of a special status for access to housing for victims who are rescued from situations of sexual or labor exploitation, which was approved in February 2021 by the Executive Committee to Combat Human Trafficking and Exploitation and for the Assistance and Protection of the Victims, the Ministry of Territorial Development and Habitat of the Nation.¹⁹⁴ Likewise, the Commission takes note of the creation of the national campaign for decent rural work by the State and trade unions,¹⁹⁵ and the establishment of a state textile zone for victims of

¹⁸⁷ White House, United States, [Executive Order on the Establishment of Interagency Task Force on the Reunification of Families](#), February 02, 2021.

¹⁸⁸ IACHR, Request for information from the State of Honduras, Note 347 -21/CIDH/SE/MPCT-Art.41, IACHR Archives, July 26, 2021. Republic of Honduras, Response of the Honduran State to the request for information from the Inter-American Commission on Human Rights pursuant to Article 41 of the American Convention on Human Rights regarding the situation of Haitian nationals in transit through Honduras, Official Letter No. SEDH-PM-040-2021, August 13, 2021, pgs. 2, 5, 6 and 7.

¹⁸⁹ Office of the National Superintendent for Migration, Peru, Comunicado 007-2021, April 4, 2021. Ministry of Health, Peru, Comunicado No. 608 - [No existe impedimento para vacunación de personas extranjeras](#), [“There is no impediment to foreigners getting vaccinated”], July 14, 2021.

¹⁹⁰ IACHR [@CIDH]. (June 23, 2020). *La CIDH y REDESCA saludan la decisión del Ministerio de Salud Pública de Uruguay de habilitar el trámite en línea para que personas migrantes y solicitantes de asilo reciban las vacunas* [“IACHR and REDESCA welcome the decision of the Ministry of Public Health of Uruguay to enable online application of migrants and asylum seekers to receive the vaccines”], [Tweet]. Twitter. <https://twitter.com/CIDH/status/1407824973784399875?s=20>.

¹⁹¹ Ministry of Foreign Affairs, Uruguay, [Registro de Migrantes o Solicitantes de Refugio sin cédula de identidad para Plan de Vacunación contra covid - 19](#), [“Registration of Migrants and Refugee Seekers without identity card for the Covid-19 vaccination plan”], June 22, 2021.

¹⁹² United Nations General Assembly, [Compilation on Antigua and Barbuda Report of the Office of the United Nations High Commissioner of Human Rights](#), August 19, 2021.

¹⁹³ Government of Argentina Chief of Cabinet of Ministers, [Trabajo Esclavo: 17 trabajadores fueron rescatados en Santiago del Estero](#), [“Slave labor: 17 workers were rescued in Santiago del Estero”], March 4, 2021.

¹⁹⁴ Government of Argentina, [Comenzó el trabajo por un estatuto especial de acceso a la vivienda para víctimas de trata](#), [“The work has begun to get special status for access to housing for victims of human trafficking”], February 23, 2021.

¹⁹⁵ Government of Argentina, [El Comité con UATRE y Camioneros preparan una campaña nacional por el trabajo rural decente](#), [“The Committee with UATRE and Truck Drivers are preparing a national campaign for decent rural jobs”], January 27, 2021.

human trafficking to be able to reenter the labor force.¹⁹⁶ In The Bahamas, the Commission takes note of the Ministry of Security’s awareness raising campaign about human trafficking called ‘Nobody is for sale,’ which aims to involve the general population to encourage reporting potential cases of trafficking in persons.¹⁹⁷ As for Barbados, the Commission takes note of the 2021-2023 National Action Plan to Combat Human Trafficking, the purpose of which is to determine the nature and scope of that criminal offense at the national level.¹⁹⁸ The Commission also takes note of the Office of the Attorney General of the Nation, developing online learning modules for the training of migration and customs agents and the Barbados Police Service on the subject of human trafficking.¹⁹⁹ As for Belize, the Commission notes that the Government of this country and Honduras have been acting through an interinstitutional arrangement to: i) discuss and analyze trends and dynamics of the crime of human trafficking; ii) identify the support services that are offered by both countries; and, iii) establish a road map for the protection of victims.²⁰⁰ In Bolivia, the Commission takes note of the communication strategy established by the government to help prevent human trafficking through awareness-raising and by shedding light on the crime.²⁰¹ As for Brazil, the Commission takes note of the Awareness campaign against Human Trafficking, Data Gathering and Professional Training to be carried out at strategic locations, such as Acre, Amazonas, Amapá, Bahía, Ceará, Distrito Federal, Goiás, Maranhão, Minas Gerais, Mato Grosso, Pará, Pernambuco, Paraná, Rio Grande do Norte, Rio de Janeiro, Rio Grande do Sul and São Paulo.²⁰² Additionally, in the area of cooperation, the Commission takes note of the signing of the Joint Declaration against Human Trafficking, Slave Labor and the proposal for a New Socio-labor Declaration among the Ministers of Labor of Uruguay, Paraguay and representatives of Argentina and Venezuela, to combat—mainly—child slave labor.²⁰³ With respect to Canada, the Commission takes note of the submission of Canada’s official report on trafficking in persons, with the participation of different sectors of society. The report introduces the adoption of a comprehensive approach to prevention, punishment, protection, and the new plank of “empowerment,” and it seeks to emphasize the important role played by the victims, survivors and at-risk populations.²⁰⁴ The Commission also takes note of the proposed law in the province of Ontario, which would expand police jurisdiction to access information in investigations into human trafficking, allowing the police to request hotels to share information about guests, if it is believed that it could help identify or protect a victim, or locate individuals suspected of committing the crime of human trafficking.²⁰⁵ As for Costa Rica, the Commission takes note that the National Coalition against Illegal Trafficking in Migrants and Trafficking in Persons (CONATT) presented the 2020-2030 National Policy against Trafficking in Persons.²⁰⁶ In Colombia, the Commission notes that the Ministry of the Interior, with the support of the Group to Combat Trafficking in Persons (*Grupo de Lucha contra la Trata de Personas*), provided training to migration agents who deal with human trafficking throughout the country. On this occasion, the New National Strategy to Combat Trafficking in Persons 2020-2024 was unveiled and the National Prevention Plan was presented: i) to reduce the crime of

¹⁹⁶ Government of Argentina, [Zabaleta y Vera avanzan con la creación de un Polo Textil Estatal para la reinserción de víctimas](#), [‘Zabaleta and Vera advance in the creation of a State Textile Zone for reentry of victims’], January 28, 2021.

¹⁹⁷ Ministry of National Security, Bahamas, [No one is for sale](#), July 30, 2021.

¹⁹⁸ Government of Barbados, [Barbados Has A Human Trafficking National Action Plan](#), March 29, 2021.

¹⁹⁹ Caricom Today, [Barbados receives critical training in their fight against Human Trafficking](#), January 26, 2021.

²⁰⁰ IOM, [Belize and Honduras join efforts to prevent trafficking in persons](#), May 31, 2021.

²⁰¹ Vice Minister of Communication of Bolivia, [En el primer semestre 2021: 70% de los casos de trata y tráfico involucran a menores](#), [‘In first half of 2021: 70% of cases of human trafficking and smuggling involved minors’], September 23, 2021.

²⁰² Government of Brazil, [Governo Federal promove ações para conscientizar e prevenir sobre o tráfico de pessoas](#), [‘Federal Government promotes actions to raise awareness about and prevent trafficking in persons’], July 8, 2021.

²⁰³ MERCOSUR, [Ministros del Mercosur debaten sobre el trabajo esclavo](#), [‘Ministers of Mercosur debate slave labor’], June 10, 2021.

²⁰⁴ Government of Canada, [National Strategy to Combat Human Trafficking – Annual Report 2019-2020](#), July 30, 2021.

²⁰⁵ Government of Canada, [Information and Privacy Commissioner of Ontario, Written Submission to the Standing Committee on Justice Policy of the Legislative Assembly of Ontario: Bill 251, the Combating Human Trafficking Act, 2021](#), May 12, 2021.

²⁰⁶ Ministry of Government, [Costa Rica presenta la Política Nacional contra la Trata de Personas](#), [‘Costa Rica introduces National Policy against Human Trafficking’], August 17, 2021.

human trafficking; and, ii) to decentralize the prevention campaign #CeroComplicidadConLaTrata [‘ZeroComplicityWithTrafficking’].²⁰⁷ In Chile, the Commission takes note of measures taken by the State to: i) promote tourism awareness for the prevention of commercial sexual exploitation of children and adolescents in the context of travel and tourism by the National Tourism Service (SERNATUR);²⁰⁸ and, ii) prevent child labor and trafficking in persons in the framework of the ILO Alliance 8.7.²⁰⁹ As for Dominica, the Commission notes that, according to the report of the Office of the United Nations High Commissioner for Human Rights, the State has been taking several measures to combat the crime of human trafficking, including approving the Immigration and Passport decree criminalizing human trafficking and transnational organized crime.²¹⁰ In Ecuador, the Commission takes note of the release of the Situational Report on Trafficking in Persons in the context of mixed migratory flow by the Ministry of Government and the United Nations Office on Drugs and Crime (UNODC) through the “TRACK4TIP” initiative.²¹¹ As for the United States, the Commission takes note of the roll out of the “the core competencies for the response to trafficking in persons in medical care and behavioral health systems.”²¹² According to official information, the measure would provide health care practitioners with the tools they need to identify, respond and assist persons who are or are at risk of being victims of forced labor or commercial sexual exploitation.²¹³ Additionally, the Commission notes that the US Attorney’s Office created a law enforcement task force focused on combatting human trafficking.²¹⁴ With reference to Guyana, the IACHR takes note of the introduction of a legislative amendment to the 2005 Law against Trafficking in Persons, which would introduce harsher punishments; it would define measures of compensation for the victims; and would assign specific roles to state agencies.²¹⁵ Additionally, the Commission notes that the State is engaged in implementing the 2021-2023 National Human Trafficking Action Plan, in view of increased movement of Venezuelans into Guyana and, thus, the higher likelihood of them being exploited.²¹⁶ In Honduras, the Commission notes that the Secretariat for Human Rights (SEDH) endeavored to place human rights and justice for the victims of human trafficking at the center of efforts, in order to pay greater attention to prevention and survivor support.²¹⁷ Likewise, the Commission notes that the countries of northern Central America and Mexico signed a joint declaration reiterating the need to establish alliances for the exchange of information on migration and trends, as well as to reinforce the transnational response against

²⁰⁷ Ministry of the Interior, [Asistencia técnica a los funcionarios de Migración Colombia sobre la nueva Estrategia Nacional y el Plan Nacional de Prevención](#), [‘Technical assistance to Colombian migration agents about the new National Strategy and the National Prevention Plan’], May 5, 2021.

²⁰⁸ Ministry of the Interior and Public Security, [ESCENNA, trabajo infantil y trata de personas en el contexto de viajes y turismo](#), [‘ESCENNA, child labor and trafficking in persons in the context of travel and tourism’], May 20, 2021.

²⁰⁹ Ministry of the Interior and Public Security, [ESCENNA, trabajo infantil y trata de personas en el contexto de viajes y turismo](#), [‘ESCENNA, child labor and trafficking in persons in the context of travel and tourism’] May 20, 2021.

²¹⁰ United Nations Office of the High Commissioner for Human Rights, [Human Rights Committee asks Dominica about the use of force against political opposition and the infringement on the right of peaceful assembly](#), March 11, 2021.

²¹¹ UNODC, [UNODC y Ministerio de Gobierno de Ecuador presentaron informe sobre la trata de personas en contextos migratorios en dicho país](#), [‘UNODC and Ministry of Government of Ecuador presented report on human trafficking in contexts of migration in that country’], August 25, 2021.

²¹² US Department of Health and Human Services, [Core Competencies for Anti-Trafficking Response in Healthcare Systems Released](#), February 24 2021.

²¹³ US Department of Health and Human Services, [Core Competencies for Anti-Trafficking Response in Healthcare Systems Released](#), February 24 2021.

²¹⁴ United States Department of Justice, [United States Attorney’s Office Launches Law Enforcement Task Force Focused on Human Trafficking](#), January 29, 2021.

²¹⁵ IACHR [CIDH]. (June 17 2021). IACHR notes that Guyana announced that it will offer an amendment to its 2005 Law to Combat Human Trafficking, introducing harsher punishments, defining measures of compensation for the victims and the specific roles of State agencies [tweet]. Twitter. <https://twitter.com/cidh/status/1405649081284841475?lang=ga>.

²¹⁶ Government of Guyana Department of Public Information, [Guyana to boost efforts to fight TIP](#), March 22, 2021.

²¹⁷ Government of Honduras, [Ministra de la SEDH pide reforzar esfuerzos para la atención de las víctimas de trata en el centro de los esfuerzos](#), [‘Minister of SEDH calls for stepping up efforts to assist victims of trafficking at the center of the efforts’], October 19, 2021.

both trafficking in persons and smuggling of migrants.²¹⁸ Also, in Jamaica, the Commission takes note of the process of updating the Law on Trafficking in Persons, in an attempt to effectively combat this crime and make sure that legislation is in line with the current reality on the ground.²¹⁹ Additionally, the Commission notes that the Government of Jamaica took initial steps to establish a Police Force specialized in combatting trafficking in persons.²²⁰ Lastly, the IACHR notes that the topic of human trafficking was introduced in secondary school curriculum to help to raise awareness among students and teachers.²²¹ As for Mexico, the Commission takes note of the update to the Law of Mexico City for the Protection, Care and Assistance to Victims of Crimes relating to Human Trafficking, which includes new public agencies.²²² It further notes the amendment to the General Law to Prevent, Punish and Eradicate Crimes relating to Trafficking in Persons and for the Protection and Assistance of the Victims of these Crimes, making the Prosecutor's Offices designated to combat this crime more involved.²²³ In Panama, the Commission takes note that—in the framework of the regular session of the Regular Commission for the Prevention of the Crimes of Sexual Exploitation (CONAPREDES)—the project was approved for the installation of Gesell chambers (two-way mirror rooms) in the provinces of Colón, Darién and Coclé in order to strengthen investigations relating to sexual offenses, avoid re-victimization and to respect the victims' human rights.²²⁴ Likewise, the Commission takes note of the initiative of the Ministry of Government and the University of Panama to strengthen the Observatory on Sexual Exploitation of Children and Adolescents.²²⁵ Additionally, the Commission takes note that Panama and Colombia have agreed on several measures against trafficking in persons and organized crime targeting migrants that cross through the jungle of Darien.²²⁶ As for Paraguay, the Commission takes note of actions taken by the Ministry of Women and the Office on Gender of the Ministry of Public Health on Social Welfare to strengthen the protocol for assisting women, children and adolescents affected by human trafficking, establishing sensitization courses for community outreach workers and health care professionals belonging to the Family Health Unit.²²⁷ Likewise, the IACHR welcomes the initiatives undertaken by the Ministry of Women such as: i) “Ñande Ko'é” (‘dawn’ in Guaraní language) which supports the fight against human trafficking,²²⁸ and, ii) “Atlás,” which seeks to educate about the comprehensive care and/or protection programs for victims, procedures in place and lines of specific referral for cases of child labor, forced labor and human trafficking.²²⁹ In Peru, the Commission takes

²¹⁸ Government of Honduras, [Triángulo Norte y México condenan tráfico y trata de personas](#), [‘Northern Triangle and Mexico condemn human trafficking and smuggling’], January 11, 2021.

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Government of Jamaica, [Government to Further Amend Trafficking in Persons Act](#), March 13, 2021.

²²⁰ Government of Jamaica, [Government to Further Amend Trafficking in Persons Act](#), March 13, 2021.

²²¹ Government of Jamaica, [Government to Further Amend Trafficking in Persons Act](#), March 13, 2021.

²²² National Human Rights Commission, México, [Ley para la Protección, Atención y Asistencia a las Víctimas de los Delitos en Materia de Trata de Personas de la Ciudad de México](#), [‘Law for the Protection, Care and Assistance of Victims of Crimes relating to Human Trafficking of Mexico City’], February 16, 2021.

²²³ Government of Mexico – Chamber of Deputies of the Honorable Congress of the Union, [Ley General para Prevenir, Sancionar y Erradicar los Delitos en materia de Trata de Personas y para la Protección y Asistencia a las Víctimas de estos Delitos](#), [‘General Law to Prevent, Punish and Eradicate Crimes relating to Human Trafficking and for the Protection and Assistance of the Victims of these Crimes’], May 20, 2021.

²²⁴ Republic of Panama, [Presentan informe en el marco del Día Internacional Contra la Explotación Sexual y Trata de Personas](#), [‘Report presented in the framework of the World Day against the Sexual Exploitation of and Trafficking in Persons’], September 23, 2021.

²²⁵ Republic of Panama, [Presentan informe en el marco del Día Internacional Contra la Explotación Sexual y Trata de Personas](#), [‘Report presented in the framework of the World Day against the Sexual Exploitation of and Trafficking in Persons’], September 23, 2021.

²²⁶ Ministry of Public Security, Panama, [Acuerdan mecanismos para el flujo controlado de migrantes irregulares a través de la frontera común](#), [‘Mechanisms agreed upon for the controlled flow of irregular migrants across the common border’], August 6, 2021.

²²⁷ Government of Paraguay, [Asistencia integral a mujeres víctimas de trata](#), [‘Comprehensive assistance to women victims of trafficking’], March 1, 2021.

²²⁸ Government of Paraguay, [Asistencia integral a mujeres víctimas de trata](#), [‘Comprehensive assistance to women victims of trafficking’], March 1, 2021.

²²⁹ Government of Paraguay, [Se reúnen para reinstalar comisión contra la trata en Central](#), [‘Meeting held to reinstate commission against trafficking in Central’], February 1, 2021.

note of the approval of the National Policy on Trafficking in Persons and its Forms of Exploitation in effect until 2030, which proposes a multisectoral strategy to address and combat the crime.²³⁰ In this regard, the IACHR notes that this policy, under the Ministry of Foreign Affairs, seeks to i) make the population outside of Peru more aware of the risks of victimization to foreign nationals abroad; ii) identify potential victims abroad; iii) protect and provide assistance to potential victims; and, iv) help them to reenter their place of residence.²³¹ Additionally, the Commission takes note of the Bilateral Agreement between Bolivia and Peru to strengthen efforts to combat human trafficking, smuggling of migrants and related crimes, by taking action in cooperation and coordination between the parties through the establishment of mechanisms of prevention, prosecution of perpetrators, assistance to and reintegration of victims.²³² In Trinidad and Tobago, the Commission welcomes the public education campaign carried out in July by the Unit against Trafficking in Persons (CTU) to raise awareness about the crime of human trafficking.²³³ As for Uruguay, the IACHR takes note of actions taken by the National Council to Prevent and Trafficking and Exploitation of Persons, including: i) preparing a Protocol of Inter-Institutional Procedures for Identification and Assistance in cases of trafficking in persons; ii) preparing a Guide of Indicators for collaboration in preventing and assisting potential victims; iii) training consular personnel abroad; and, iv) releasing the document Women in a Situation of Sex Trafficking: recommendations and guidance for journalists and communication professionals. This document features a guide proposing the practice of responsible communication for the protection of the victims and to prevent their revictimization.²³⁴

39. As for the right of **persons deprived of liberty**, the IACHR takes note of information provided by the State of Argentina about approval of the Protocol for the Transfer of Persons Deprived of Liberty under the Federal Penitentiary Service (SPF), establishing that persons in detention should be housed—to the extent possible—in facilities close to their family, community, defense attorney and competent judicial authority. It further provides that transfers must be notified to the technical defense team and competent authority at least 72 hours prior to the scheduled date of transfer.²³⁵ As for Brazil, the Commission welcomed the decision of the Federal Supreme Court (STF) ensuring the rights of trans women deprived of liberty to decide where they wish to be housed, between a women’s facility or a segregated area in a men’s facility.²³⁶ In Colombia, the Commission welcomes the adoption of the 2021-2025 National Plan on Criminal Policy, which seeks to: i) decrease the use of deprivation of liberty and pretrial detention through the promotion of alternative measures; ii) guarantee humane treatment and decent conditions of detention; iii) prepare strategies for reentry into society to prevent recidivism; and, v) establish paths for social reintegration for persons who have finished serving their prison sentences.²³⁷ The Commission also noted the reduction in overcrowding at prison

²³⁰ Government of Peru, [Aprobación de la Política Nacional frente a la Trata de Personas y sus formas de explotación al 2030](#), [‘Approval of National Policy against Human Trafficking and its forms of Exploitation up to 2030’], August 18, 2021.

²³¹ Government of Peru, [Aprobación de la Política Nacional frente a la Trata de Personas y sus formas de explotación al 2030](#), [‘Approval of National Policy against Human Trafficking and its forms of Exploitation up to 2030’], August 18, 2021.

²³² Government of Peru, [Acuerdo Bilateral entre la República del Perú y el Estado Plurinacional de Bolivia para fortalecer la lucha contra la trata de personas, el tráfico ilícito de migrantes y delitos conexos](#), [‘Bilateral Agreement between the Republic of Peru and the Plurinational State of Bolivia to strengthen the fight against human trafficking, illicit smuggling of migrants and related offenses’], January 28, 2021.

²³³ Counter Trafficking Unit TT - Facebook, [Human Trafficking Awareness Campaign – Part 1](#), July 23, 2021.

²³⁴ Ministry of Foreign Affairs, Uruguay, [Comunicado de Prensa 132/21](#), Press Release 132/21, July 30, 2021.

²³⁵ Government of Argentina, Diplomatic Note No. NO-2021-85233068-APN-DNAJIMDDHH#MJ, September 10, 2021, pg. 14.

²³⁶ IACHR [CIDH]. (March 24, 2021). La CIDH saúda a decisão do @STF_oficial, em #18Mar, que garantiu o direito às mulheres trans e travestis privadas de liberdade de decidir se cumpriram suas penas alocadas em estabelecimento feminino ou em área reservada de centro masculino de detenção. [‘IACHR welcomes the decision of the STF on March 18 to ensure the right of trans and transvestite women deprived of liberty to decide whether they serve their sentence in women’s facilities or in a separate area of a men’s detention facility’] [Tweet]. Twitter. <https://twitter.com/cidh/status/1374856170003968007?s=11>

²³⁷ Superior Council on Criminal Policy, Colombia, [Plan Nacional de Política Criminal 2021-2025](#), 2021-2025 National Criminal Policy Plan, 2021.

facilities,²³⁸ and implementation of a pilot project to promote alternative measures to incarceration.²³⁹ In Costa Rica, the Commission welcomes adoption of the “Socio-labor Integration Model for the Prison Population,” which seeks to pave the way for reentry into society for persons deprived of liberty. In particular, this strategy establishes: i) providing formal education and skills building; ii) consolidating offers of employment; and, iii) implementing processes of modernization through the inclusion of technology in training and education.²⁴⁰ In Ecuador, the IACHR highlights several actions taken by the State following the violence that broke out at several detention facilities leaving a death toll of at least 316 persons deprived of liberty in 2021,²⁴¹ such as: i) issuing declarations of a state of emergency to “safeguard the rights of persons deprived of liberty;” ii) creating a specialized team of prosecutors to conduct investigations; iii) opening investigations; and iv) taking measures to provide psychological and outpatient care and information to family members of the inmates.²⁴² Additionally, the Commission takes note of the creation of the “Commission for Emergency Intervention of the State at Prison Facilities” in this country, focusing on security and social aspects.²⁴³ In the United States, the IACHR welcomes the approval of the Humane Alternatives to Long-Term Solitary Confinement Act (HALT, S. No. 2836) by the State of New York. According to official information, the aforementioned law: i) limits the use of solitary confinement to 15 days; ii) implements alternative measures of rehabilitation including the creation of Residential Rehabilitation Units (RRU); iii) expands the definition of solitary confinement to include any form of confinement in a cell where an individual is held for more than 17 hours per day; iv) requires additional time outside of the cell and establishes rehabilitation programs; and, v) prohibits the use of confinement on vulnerable populations, including persons 21 years of age or younger; 55 years and older, persons with disabilities, and pregnant women until eight weeks after giving birth, or women who care for children at the prison facility. Regarding Honduras, the IACHR takes note that the “Plan to Reduce Prison Overcrowding” continues to be implemented, under which as of September 2021 a total of 2,403 benefits were granted, including parole, commutation of sentence, declaration of sentenced served, review of measure and release of persons for terminal illness.²⁴⁴ In Mexico, the Commission takes note of the judgment of the Supreme Court of Justice of the Nation (SCJN) of October 25, invalidating the use of ex officio pretrial detention for the offenses of smuggling, tax fraud and use of false invoices.²⁴⁵ It also welcomes the decision of the Government of Coahuila ordering the release of women deprived of liberty for the crime of abortion, as a result of the decision of the Supreme Court of Justice of the Nation (SCJN) unanimously invalidating the punishment prescribed for that

²³⁸ National Penitentiary and Prison Institute, Colombia, [No. 9 Informe Estadístico Población Privada de Libertad – INPEC – Septiembre 2021](#), [‘Statistical Report No. 9 Population Deprived of Liberty – INPEC – September 2021’], October 21, 2021, pg. 24.

²³⁹ Ministry of Justice, Colombia, [Ministerio de Justicia y la Embajada de Estados Unidos ponen en marcha proyecto piloto de alternatividad penal](#), [‘Ministry of Justice and the US Embassy roll out pilot project on alternative sentencing, March 31, 2021.

²⁴⁰ Office of the President, Costa Rica, [Nuevo modelo de inserción potenciará oportunidades laborales y de capacitación en personas privadas de libertad](#), [‘New model of integration will boost job and training opportunities for persons deprived of liberty’], August 23, 2021.

²⁴¹ IACHR, Press Release No. 306/21 - [CIDH expresa preocupación por más hechos graves de violencia en cárceles de Ecuador](#), [‘IACHR concerned about further serious violence in Ecuadorian prisons’], November 17, 2021.

²⁴² Government of Ecuador, Diplomatic Note No. 4-2-314/ 2021, October 29, 2021, pgs. 5 and 9.

²⁴³ [#Urgente](#) | Frente a lo sucedido en la crisis Penitenciaria, el Directorio del Organismo Técnico del SNRS aprobó por unanimidad la conformación de la “Comisión de Intervención Emergente del Estado en Centros de Privación de Libertad liderada por @DEFENSORIAEC @LassoGuillermo. [‘In response to events in the prison crisis, senior officials of the technical body of the SNRS unanimously approved the creation of the “Commission on Emergency Intervention of the State at Centers of Deprivation of Liberty led by Ombudsman of Ecuador’] Twitter account of the SNAI (@SNAI_Ec). [Publicación del 10 de noviembre de 2021](#). [Published on November 10, 2021]

²⁴⁴ Government of Honduras, Diplomatic Note No. SEDH-PM-069-2021- Follow-up Report on compliance with IACHR recommendations, October 29, 2021, pg. 17.

²⁴⁵ In this regard, see SCJN, Mexico, [Contenido de la versión taquigráfica de la Sesión Pública Ordinaria del pleno de la Suprema Corte de Justicia de la Nación, celebrada el lunes 25 de octubre de 2021](#), [‘Content of the transcript of the Regular Public Hearing of the plenary of the Supreme Court of Justice of the Nation held on Monday October 25, 2021’], October 25, 2021; Animal Político, [Corte invalida prisión automática para contrabando, defraudación fiscal y uso de facturas falsas](#), [‘Court strikes down automatic prison sentence for smuggling, tax fraud and using false invoices’], October 25, 2021; and CNDH, [Asunto: Acción de Inconstitucionalidad](#), [‘Matter: Action for unconstitutionality’], March 22, 2021.

offense with retroactive effect.²⁴⁶ Likewise, the Commission is pleased with the efforts made by the State so that persons in pretrial detention are able to exercise their right to vote.²⁴⁷ In Paraguay, the Commission welcomes the decision handed down by the Supreme Court of Justice on March 26, issuing an urgent appeal to the State to use pretrial detention on an exceptional basis, providing guidelines for its use and promoting *ex officio* review,²⁴⁸ in view of the fact that it is the country with the second highest use of pretrial detention in the region,²⁴⁹ which is one of the main causes of prison overcrowding. The Commission also welcomes the signing of a framework agreement and supplementary partnership commitment document between the Ministry of Justice and the National Secretariat for the Human Rights of Persons with Disability (Senadis) of Paraguay in April, the purpose of which is to ensure policies and practices of comprehensive care and access to rights for persons with disabilities deprived of liberty.

40. With relation to the rights of **children and adolescents**, the IACHR welcomes enactment of Law No. 27.661 on Attention and Comprehensive Health Care during Pregnancy and Early Infancy on December 30, 2020, in the Argentine Republic. On this score, the IACHR notes that the law ensures attention and comprehensive care for children up to the age of three, and seeks to reduce mortality, malnutrition and undernourishment; prevent violence; and, protect early links, neural development and health in an integrative manner.²⁵⁰ Additionally, the State grants economic assistance equivalent to the universal allowance for a child with disability.²⁵¹ Also, in Bolivia, the IACHR welcomes approval by the Legislative Assembly of the amendments to the “Children’s and Adolescents’ Code,” as amended by the Law Shortening the Procedure to Guarantee Restoration of the Human Right to Family of Children and Adolescents.²⁵² According to official information, this amendment is meant to facilitate and streamline procedures for circumstantial foster care, judicial determination of name (kinship), termination of parental authority and adoption, in order to guarantee the restoration of the right to family of children and adolescents who, in the absence of parental care, are under the special custody of the State.²⁵³ Additionally, regarding this same country, the IACHR learned of the introduction of a legislative bill to create a national scholarship program for low income children and adolescent orphans, who are victims of COVID-19, in higher technical/vocational education and undergraduate studies.²⁵⁴ As for Brazil, the IACHR takes note of the Modernization and Universalization Policy of the Civil Registry and of Basic Identification Documentation. According to official information, the policy aims to make early infancy policy more effective; eradicate under registration; address the disappearance of children and adolescents; guarantee social inclusion; prevent exchange of babies in maternity wards; and combat trafficking

²⁴⁶ Government of Coahuila, Mexico, [Comunicado](#), [Release], September 7, 2021.

²⁴⁷ In this regard, Animal Político, [Personas en prisión votan por primera vez en prueba piloto organizada por el INE](#), [‘Persons in prison vote for first time in pilot test organized by the INE’], May 19, 2021; and El financiero, [Voto de personas en prisión: 898 participaron por primera vez en elecciones](#), [‘Persons in prison voting: 898 participated for the first time in elections’], June 28, 2021.

²⁴⁸ Supreme Court of Justice, Paraguay, Agreement noting the need to use pretrial detention on an exceptional basis, March 31, 2021.

²⁴⁹ World Prison Brief, Institute for Crime & Justice Policy Research, [Highest to lowest - pre-trial detainees](#), 2021.

²⁵⁰ Official Bulletin of the Argentine Republic, [Ley N° 27.661 de Atención y Cuidado Integral de la Salud durante el Embarazo y la Primera Infancia](#), [‘Law No. 27.661 on Comprehensive Health Assistance and Care during pregnancy and infancy’]

²⁵¹ Chamber of Deputies of the Nation, [Proyecto 4730-D-2020](#). Agencia de Noticias Telam, [Celebran la media sanción al proyecto que crea un programa de oncopediatria](#), [‘Half enactment of the program creating oncopediatrics welcomed’], October 27, 2021.

²⁵² Plurinational Legislative Assembly, Bolivia, [Ley de modificación la Ley N° 548 de 17 de julio de 2014. “Código Niña, Niño y Adolescente”, modificada por la Ley N° 1168 de 12 de abril de 2019, de Abreviación Procesal para Garantizar la Restitución del Derecho Humano a la Familia de las Niñas, Niños y Adolescentes](#), [‘Law amending Law No. 548 of July 17, 2014, Children’s and Adolescents’ Code,’ amended by Law No. 1168 of April 12, 2019 Shortening Procedures to Ensure Restoration of the Human Rights to Family of Children and Adolescents’], April 29, 2021.

²⁵³ Chamber of Deputies, Bolivia, [“Cámara Baja aprueba Proyecto de Ley Que Modifica el Código niña, niño y adolescente y garantiza la restitución del Derecho a la Familia”](#), [‘Lower Chamber approves Draft Law amending the Children’s and Adolescents’ Code guaranteeing restoration of the Right to Family’], March 25, 2021.

²⁵⁴ Chamber of Deputies, Bolivia, [“Diputada presenta proyecto de ley de becas para huérfanos víctimas de COVID-19”](#), Deputy introduces legislative bill on scholarships for orphaned victims of COVID-19’, July 15, 2021.

in children; among other things.²⁵⁵ Regarding Chile, the IACHR welcomes the signing of a collaboration agreement between the Constituent Convention Table and the Office of the Ombudsman for Children, the purpose of which is to promote the participation of children and adolescents in the constituent process.²⁵⁶ Additionally, the IACHR takes note of the participation of the Office of the Ombudsman for Children in the preparation of the Second National Human Rights Plan (PNDH), in order to provide technical assistance related to the rights of this population.²⁵⁷ As for Colombia, the Commission welcomes the passing of Law No. 2089 on May 14, 2021, which bans physical punishment, cruel, humiliating or degrading treatment and any other type of violence as a correctional method against children and adolescents. Additionally, it creates the National Pedagogic and Prevention Strategy for the elimination of corporal punishment and cruel, humiliating or degrading treatment against this population.²⁵⁸ Likewise, the Commission takes note of the information provided by the State pertaining to forced recruitment noting that the Subcommittee for the Prevention, Protection and Guarantee of Non-Repetition approved the proposal for the systemwide harmonization of routes to prevent recruitment, use, utilization and sexual violence against children and adolescents.²⁵⁹ It also takes note of the implementation of the sixth edition of the program “Mambrú, strengthening protective settings for children, adolescents and young people,” which according to the State aims to bolster collective initiatives to promote safe settings for early prevention of recruitment and use of children and adolescents by organized criminal groups and groups operating outside the law.²⁶⁰ In Ecuador, the Commission welcomes the State’s initiative to proclaim August 14 as the national day against sexual violence in schools,²⁶¹ in compliance with the reparation measures ordered by the Inter-American Court of Human Rights in the case of Guzmán Albarracín et al.²⁶² Likewise, the Commission takes note of the measures taken to protect the rights of children and adolescents such as the proposed “Protocol to ensure and supervise the security and safety of children and adolescents inside Foster Homes;” and the preparation of a preliminary version of the National Integrative Protection Plan for Children and Adolescents up to 2030, which is in a public comment period.²⁶³ In Guyana, the Commission takes note of the 2021-2025 Strategic Education Plan (ESP) of the State; the partnership with the UN to address child abuse; and the efforts to regulate the operation of alternative care institutions. Regarding the ESP, the IACHR notes that it was adopted based on an inclusive and participatory approach through consultations with unschooled young people and children deprived of liberty with disabilities. According to the Ministry of Education, the Plan is aligned with the country’s commitments to the 2030 UN agenda, as well as with the CARICOM Human Resources Strategy.²⁶⁴ With respect to Peru, the Commission welcomes the approval of Vice-Ministerial Resolution No. 169-2021-MINEDU, which introduces the “Guidelines for Comprehensive Sex Education in Basic Education.” This document’s purpose is to establish guidance on

²⁵⁵ Federative Republic of Brazil, Chapter IV A – IACHR 2021 Annual Report of the State, October 15, 2021.

²⁵⁶ Constitutional Convention, [“Firman convenio de colaboración para facilitar participación de niños, niñas y adolescentes”](#), [‘Collaboration agreement signed to facilitate participation of children and adolescents’], October 6, 2021.

²⁵⁷ Office of the Ombudsman for Children, [Plan Nacional de Derechos Humanos: Defensoría de la Niñez participa en elaboración y propone Mecanismo de Monitoreo en conjunto con INDH](#), [‘National Human Rights Plan: Office of Children’s Ombudsman participates in the drafting and proposes Monitoring Mechanism in conjunction with the INDH’], September 23, 2021.

²⁵⁸ Congress of Colombia, Colombia, [Ley No. 2089 de 14 de mayo de 2021 “Por medio de la cual se prohíbe el uso del castigo físico, los tratos crueles, humillantes o degradantes y cualquier tipo de violencia como método de corrección contra niñas, niños y adolescentes y se dictan otras disposiciones”](#), [Law No. 2089 of May 14, 2021 “Prohibiting the use of physical punishment, cruel, humiliating or degrading treatment and any other type of violence as a correctional method against children and adolescents and issuing other provisions”], May 14, 2021.

²⁵⁹ Government of Colombia, Submissions from Colombia for preparation of the IACHR 2021 Annual Report – Chapter IV, Section A “Annual overview on the situation of human rights by country,” September 8, 2021, par. 95.

²⁶⁰ Government of Colombia, Submissions from Colombia for preparation of the IACHR 2021 Annual Report – Chapter IV, Section A “Annual overview on the situation of human rights by country,” September 8, 2021, pars. 99 and 100.

²⁶¹ Secretariat of Human Rights of Ecuador: https://twitter.com/DDHH_Ec/status/1426275528143745024?s=20

²⁶² IA Court of HR. Case of Guzmán Albarracín et al v. Ecuador, Judgment of June 24, 2020.

²⁶³ Ministry of Foreign Affairs and Human Mobility of Ecuador, Situation of Human Rights in Ecuador Achievements from January 1 to July 31. Input for IACHR Annual Report, September 7, 2021.

²⁶⁴ Ministry of Education, [Guyana Education Strategic Plan \(ESP\) 2021- 2025](#), September 2021.

relevant and timely integrative sex education at basic education institutions and programs, to enable sexuality to be experienced in a safe, responsible and healthy manner, in accordance with the stage of development and maturity of students.²⁶⁵

41. As for the **rights of older persons**, in Brazil, the Commission takes note of information provided by the State on the National anti-COVID-19 Vaccination Operational Plan,²⁶⁶ establishing as a priority group for immunization persons over 60 years of age residing at long-term stay establishments, such as independent living facilities, nursing homes or shelters. In Costa Rica, the Commission takes note of the information provided by the State about rules, laws and institutional policies of the judiciary aimed at improving access to justice for older persons, including preferential treatment, respect for decisions made by older persons, appropriate physical space to ensure access for older persons, preparation and dissemination of information about policies to prevent situations of violence, among other ones.²⁶⁷ In Chile, the Commission welcomes approval by the judiciary of the Protocol on Access to Justice for Older Persons,²⁶⁸ which lays out recommendations to be used by judges in their rulings to contribute to equal access to justice, guarantee the principle of equality and non-discrimination based on age and effective exercise of the rights of older persons. In Ecuador, the Commission highlights information provided by the State about the start of the process to create the National Specialized System for the Integrative Protection of the Rights of Older Adults - SINEPIDPAM- the purpose of which is to coordinate the institutions, public and private services, rules, policies, plans, programs, mechanisms and activities aimed at guaranteeing the comprehensive, priority and special protection of older adults. Additionally, the Commission takes note of the coverage of 365,834 older persons who collect non-contributive pensions under the “My Best Years” (“*Mis Mejores Años*”) and Older Adults Pension programs, which are intended to help to improve the economic security of older persons living in a situation of poverty and extreme poverty.²⁶⁹ In El Salvador, the Commission welcomes the passing of the Special Law for the Protection of the Rights of Older Adults,²⁷⁰ which repeals the 2002 Law of Comprehensive Care for Older Adults, expanding and standardizing the legal framework for protection of the rights of older persons in accordance with the Inter-American Convention on Protecting the Rights of Older Persons. It also takes note of information submitted by the State²⁷¹ about implementation of comprehensive health campaigns for older adults from indigenous communities, in both the western and eastern areas of the country. In the United States, the Commission takes note of the allocation of \$1.4 billion dollars in funding under the 2021 American Rescue Plan Act for social assistance programs under the Older Americans Act. The IACHR welcomes programs supported by this funding, which include programs supporting the dissemination and coordination of vaccinations, addressing social isolation, providing support to family caregivers and offering nutritional support to older persons.²⁷² Additionally, the IACHR notes the proclamation of May 2021 as Older Americans’ Month, the purpose of which is to honor older persons for their ongoing contributions to the development of the country.²⁷³ In Honduras, the Commission takes note of the information provided by the State about approval of the “2021-20250 National Aging and Older Adult Policy,” establishing several strategic and operational lines of action that are to be implemented by drawing up an Policy Implementation Plan. As for Panama, the Commission notes Draft Law No. 585, which was introduced in the General Assembly on March 17, 2021, to

²⁶⁵ Ministry of Education Peru, [Resolución Viceministerial N° 169-2021-MINEDU](#), June 3, 2021.

²⁶⁶ Report of the State of Brazil for Chapter IV.A of the IACHR 2021 Annual Report, October 15, 2021. Ministry of Health, [Plano Nacional de Operacionalização da Vacinação contra a COVID-19](#), [National Plan for Operationalizing COVID-19 Vaccination], 2021.

²⁶⁷ Report of the State of Costa Rica for Chapter IV. A of the IACHR 2021 Annual Report, September 25, 2021.

²⁶⁸ Judiciary, [Protocolo de Acceso a la Justicia de Personas Mayores](#), [‘Protocol for access to justice of older persons’], April 2021.

²⁶⁹ Report of the State of Ecuador for Chapter IV. A of the IACHR 2021 Annual Report, September 7, 2021.

²⁷⁰ Decree No.817 of the Legislative Assembly, [Ley Especial para la protección de los derechos de la persona adulta mayor](#), [‘Special Law for the protection of the rights of older persons’], January 27, 2021.

²⁷¹ Report of the State of El Salvador for Chapter IV. A of the 2021 IACHR Annual Report, September 30, 2021.

²⁷² U.S. Congress, [American Rescue Plan Act of 2021](#), March 11, 2021, sec. 2921; U.S. White House, [Fact Sheet: Biden-Harris Administration Delivers Funds to Support the Health of Older Americans](#), May 3, 2021.

²⁷³ U.S. White House, [A Proclamation on Older Americans Month, 2021](#), May 3, 2021.

approve the Inter-American Convention on Protecting the Human Rights of Older Persons.²⁷⁴ In Peru, the Commission notes Executive Branch of Government enacting the National Multisectoral Policy for Older Adults up to 2030,²⁷⁵ establishing five priority targets pertaining to the right to care and proper treatment for a live in community without discrimination; healthy aging; contributive and non-contributive benefits; access, permanence, completion and quality of education at all levels and education modalities and social, productive and political participation. In Trinidad and Tobago, the IACHR highlights a series of webinars about mistreatment of older persons, hosted by the Ministry of Social Development and Family Services, as an effort to raise awareness among the population about prevention of ill-treatment of older persons.²⁷⁶

42. In relation to the rights of **human rights defenders**, the IACHR takes note of information provided by the State of Brazil pertaining to implementation of the Human Rights Defender Protection Program (PPDDH), in the states of Bahía, Paraíba, Pernambuco, Ceará, Maranhão, Minas Gerais, Pará and Río de Janeiro and about its current status of implementation in the states of Rio Grande do Sul and Amazonas. In this program, the State reports investing an average of eight million *reals* per year and that currently there are around 600 defenders included in the PPDDH throughout the territory.²⁷⁷ Additionally, the IACHR takes note of information submitted by the State about the publication of Decree No. 10.815/2021 (Annex XII), which promotes the role of civil society in leading the Human Rights Defender, Communicator and Environmentalist Protection Program (PPDDH) and the Deliberating Council of the Human Rights Defender, Communicator and Environmentalist Protection Program.²⁷⁸ As for Colombia, the Commission notes progress in investigations into crimes against human rights defenders. On this score, the State reported to the Commission that, as of August 10, 2021, the Office of the Attorney General of the Nation has secured the conviction of 89 actual perpetrators in 69 cases of homicides of human rights defenders and 8 social leaders, and the conviction of 10 masterminds in 8 cases of homicides. As for investigations into threats, the State noted that from January 1, 2021 to July 31, 2021, the Office of the Attorney General of the Nation investigated 961 cases of threats against human rights defenders, of which no convictions have been secured yet.²⁷⁹ In Honduras, the IACHR takes note that from January to September 2021, the Training Academy of the Office of the Public Prosecutor provided training to 93 persons on protecting human rights defenders, which was imparted by the IACHR in the framework of the Special Technical Advisory Board (MESAT), and was attended by at least 29 officials of the Honduran State.²⁸⁰ In Peru, the Commission welcomes the creation of the Intersectoral Mechanism to Protect Human Rights Defenders, which was created on April 22, 2021, under Supreme Decree No. 004-2021. The purpose of this mechanism is to ensure prevention, protection and access to justice for human rights defenders whose lives or safety may be imperiled as a result of their work. The Commission noted that Inter-American standards on prevention of risks and protection of human rights defenders are written into the Decree.²⁸¹

43. As for actions taken to strengthen memory, truth and historic justice, freedom of expression and thought, and protection of economic, social, cultural and environmental rights (ESCER), the IACHR firstly

²⁷⁴ General Assembly of Panama, [Labor legislativa, Proyecto 585, Convención Interamericana sobre la Protección de los Derechos Humanos de las Personas Mayores](#), Legislative Bill, Draft 585, Inter-American Convention on Protecting the Human Rights of Older Persons', recovered on November 18, 2021.

²⁷⁵ SUPREME DECREE NO. 006-2021-MIMP approving the [Política Nacional Multisectorial para las Personas Adultas Mayores al 2030](#), [national multisectoral policy for older adults up to 2030], June 4, 2021.

²⁷⁶ Loop News, [Ministry hosts day three of elder abuse webinar](#), July 26, 2021.

²⁷⁷ Federative Republic of Brazil, Report on Chapter IV A – IACHR 2021 Annual Report, October 16, 2021, pg. 15.

²⁷⁸ Federative Republic of Brazil, Report on Chapter IV A – IACHR 2021 Annual Report, October 16, 2021, pg. 16.

²⁷⁹ Republic of Colombia, Submissions of Colombia for the preparation of the IACHR Annual Report – Chapter IV, Section A “Annual Overview on the situation of human rights by country” For 2021, pars. 49 and 53.

²⁸⁰ Republic of Honduras, Observations from the State of Honduras on the Report on the Situation of Human Rights in Honduras 2019, October 29, 2021, pg. 16.

²⁸¹ IACHR, Press Release No. 111/21, [La CIDH saluda la creación del Mecanismo intersectorial para la protección de las personas defensoras de derechos humanos en Perú](#), IACHR Welcomes the Creation of the Intersectoral Mechanism to Protect Human Rights Defenders in Peru. May 3, 2021.

notes that, according to information provided by the State of Argentina, regarding steps taken to advance **memory, truth and justice** policies and practices in the region, 90 memorials were created over the past five years in conjunction with provinces, municipalities and with the accompaniment of human rights agencies and other civil society organizations.²⁸² It also takes note of the release of a publication laying out recommendations for responsible media treatment regarding the civilian-military dictatorship and the memory, truth and justice process, which was written jointly between the Secretariat for Human Rights (SDH) and the Public Defender's Office for Audiovisual Communication Services; and the creation of the Joint Working Group on documentation of intelligence linked to human rights violations, in order to establish common criteria for addressing the trove of documents found in different formats at the Federal Intelligence Agency. Additionally, the IACHR takes note of the creation of the website providing information about the trials for crimes against humanity²⁸³ committed during the period of State terrorism.²⁸⁴ Also, in Argentina, the IACHR welcomes the judgment issued by Federal Oral Court 4 of San Martín convicting 5 of the 6 defendants charged with crimes against humanity against 94 members of the Montoneros Counter-offensive and sentencing them to a life imprisonment and, highlights the first judgment of conviction for crimes against sexual integrity committed by the ESMA, which considered the acts to be crimes against humanity, that were autonomous from the torture suffered by the victims.²⁸⁵ According to information from the Office of the Prosecutor for Crimes against Humanity,²⁸⁶ as of September 16, 2021, 631 cases relating to human rights violations stemming from the State Terrorism were filed and 264 judgments were issued. Lastly, the Commission welcomes the roll out of the Strategic Plan for the Advancement of the Trials for Crimes against Humanity, which seeks to establish a pathway for actions to promptly hold trials for such crimes, strengthen investigations and provide greater assistance to victims through the restoration of the Special Investigation Unit within the orbit of the SDH, which brings to light information pertaining to the liability of businesses in crimes against humanity committed for economic motives.²⁸⁷ In Bolivia, the IACHR welcomes the submission of the Report of the Truth Commission of the Office of the President of the Republic and the installation of the Memorial Houses in different regions of the country.²⁸⁸ In Colombia, the IACHR takes note of the efforts of Integral System of Truth, Justice, Reparation and Non-Repetition (SIVJRNR) to coordinate and adopt a differential approach in its different instruments and procedures. In Chile, the IACHR welcomes the roll out of the digital platform,²⁸⁹ which features memory projects of the Sub-secretariat for Human Rights and registers and geolocates at least 1016 memorial sites.²⁹⁰ In

²⁸² Argentine Republic, Note NO-2021-85233068-APN-DNAJIMDDHH#MJ, In re: Response to Article 41 ACHR request – 2021 Annual Report of the Inter-American Commission on Human Rights, September 10, 2021, pg. 5-7, in IACHR archive.

²⁸³ Argentine Republic, Note NO-2021-85233068-APN-DNAJIMDDHH#MJ, In re: Response to Article 41 ACHR request – 2021 Annual Report of the Inter-American Commission on Human Rights, September 10, 2021, pg. 5-7, in IACHR archive. See site on trials for crimes against humanity at: <http://www.juiciosdelesahumanidad.ar/>

²⁸⁴ Argentine Republic, Note NO-2021-85233068-APN-DNAJIMDDHH#MJ, In re: Response to Article 41 ACHR request – 2021 Annual Report of the Inter-American Commission on Human Rights, September 10, 2021, pg. 5-7, in IACHR archive.

²⁸⁵ CELS, [Primera sentencia por delitos contra la integridad sexual cometidos en la esma](#), [First judgment for crimes against sexual integrity committed by the esma], August 13, 2021; Página 12, [Histórica condena por los delitos sexuales en la ESMA](#), [Historic conviction for sexual crimes in the ESMA], August 14, 2021.

²⁸⁶ Office of the Public Prosecutor, [Relevamiento de la Procuraduría de Crímenes contra la Humanidad. Son 1044 las personas condenadas en 264 sentencias en causas por crímenes de lesa humanidad](#), [Survey of the Office of the Special Prosecutor for Crimes against Humanity, 1044 people have been convicted in 264 judgments in cases for crimes against humanity], September 24, 2021.

²⁸⁷ Argentine Republic, Note NO-2021-85233068-APN-DNAJIMDDHH#MJ, In re: Response to Article 41 ACHR request – 2021 Annual Report of the Inter-American Commission on Human Rights, September 10, 2021, pg. 5-7, in IACHR archive.

²⁸⁸ Ministry of Justice, [Comisión de la Verdad entrega al Presidente Arce el Informe Final de Violaciones de DDHH en Dictaduras](#), [Truth Commission submits to President Arce the Final Report on Human Rights Violations under Dictatorships] March 22, 2021; Ministry of Justice, [Casa de la Memoria, marco normativo y seguro de salud como resarcimiento de daños a víctimas de dictaduras](#), [House of Memory, legal framework and health insurance as redress for damages to victims of dictatorships], March 3, 2021; TeleSur TV, [Pdte. de Bolivia anuncia la creación de las Casas de la Memoria](#), [President of Bolivia announces the creation of the Houses of Memory], August 21, 2021.

²⁸⁹ <https://memoriahistorica.minjusticia.gob.cl/>

²⁹⁰ El equipo de la Secretaría Ejecutiva de la #CIDH participó en el lanzamiento del Archivo de Memoria Histórica de la @SubseDDHH de #Chile, plataforma digital que sistematiza proyectos de memoria y catastra y geocaliza al menos 1016 #SitiosDeMemoria. #MemoriaVerdadJusticia", [The team of the Executive Secretariat of the IACHR participated in the launching of the

Guatemala, the Commission notes progress in the framework of the “Diario Militar” case – which investigates crimes such as the forced disappearance, torture, sexual violence, extrajudicial execution against at least 183 individuals by members of the security forces from 1983 to 1985.²⁹¹ The IACHR takes note that the Office of the Prosecutor for Human Rights of Guatemala brought charges against three of the 12 retired military and police officers that were allegedly implicated in the case. The IACHR also became aware of the extradition from the United States and the opening of the trial in Guatemala against one person for the crime of murder and crimes against humanity relating to the Dos Erres Massacre.²⁹² In Uruguay, the IACHR has taken note of the judgement issued by Criminal Court 27 Chamber Montevideo, which ordered 7 military officers into custody and to stand trial for crimes against persons who were being held in detention at the facilities of Battalion No 13 and 300 Carlos, reinforcing the findings of the judgment of the Inter-American Court in the case of Gelman with respect to the State’s obligation to ensure that the Statute of Limitations does not pose an obstacle to the investigation of gross human rights violations.²⁹³

44. With respect to the **right to freedom of expression**, in Argentina, the IACHR and the Special Rapporteurship for Freedom of Expression (RELE) highlight several judicial decisions, that have facilitated the development of the right to freedom of expression in Argentina. In particular, they note the decision of the Second Chamber of the Supreme Court of Justice of Mendoza acquitting Roberto Macho and Raquel Blas, two union representatives of the Association of State Workers (ATE) of Mendoza, in a case that was brought against them for blocking a street in front of the Government Center in the city of Mendoza, in 2016, as part of a demonstration organized by workers’ guilds.²⁹⁴ Likewise, the IACHR and the RELE welcome the decision of the First Chamber of the Federal Criminal and Correctional Court of the City of Buenos Aires in Argentina dismissing the appeals of businessmen Gerardo Ferreyra and Néstor Otero, who were asking for *La Nación* journalist Diego Cabot to identify his sources for the investigative journalism he carried out into the case known as “Cuadernos de las coimas” (“Bribe notebooks”), a case about alleged acts of corruption supposedly involving Vice President Cristina Fernandez. Additionally, they take note of information provided by the State that, in the framework of the election year, the Public Defender’s Office for Audiovisual Communication Services entered into an Ethics Pact against Disinformation, spearheaded by the Argentine Federation of Press Workers (FATPREN) and by schools of communication, journalism institutes and organizations, devoted to promoting information transparency in the context of the midterm elections.²⁹⁵ They also take note of the passing of Law

Historic Memory Archive of the Sub secretariat of HR of Chile, a digital platform that systematizes memory projects and registers and geolocates at least 1016 MemorySites’, Twitter account of the IACHR (@CIDH), [Publicación de 10 de mayo de 2021](#). [‘Posted on May 10, 2021’]

²⁹¹ CEJIL, [Demandamos a Guatemala justicia y verdad en cumplimiento de la sentencia de la Corte IDH en el caso Diario Militar](#). [‘We demand justice and truth for Guatemala in compliance with the judgment of the IA Court of HR in the case of “Diario Militar”’], May 28, 2021; DW, [Guatemala: inician imputación a acusados en caso “Diario Militar”](#). [‘Guatemala: persons accused in Diario Militar case are formally charged’], June 3, 2021.

²⁹² DW, [Guatemala: arrestan a José Ortiz por masacre en “Dos Erres”](#). [‘Guatemala: Jose Ortiz arrested for Dos Erres Massacre’], May 9, 2021; United States, U.S. Immigration and Customs Enforcement, [ICE remueve a ciudadano guatemalteco por presuntas violaciones de los derechos humanos en conexión con la masacre de 1982 en Dos Erres](#). [‘ICE removes Guatemalan citizen for alleged human rights violations in connection with the 1982 Dos Erres Massacre’], May 12, 2021; La Hora GT, [Caso Dos Erres: juzgado envía a juicio a José Ortíz por crímenes cometidos en 1982](#). [‘Dos Erres case: court orders Jose Ortiz to stand trial for crimes committed in 1982’], October 14, 2021.

²⁹³ CIDH - IACHR en Twitter: [“Uruguay y La @CIDH toma nota de la sentencia del Juzgado Penal de 27º Turno Montevideo, el #3Jun, que decretó procesamiento y prisión de 7 militares por delitos contra personas detenidas en los centros Batallón N° 13 y 300 Carlos durante la dictadura cívico-militar. #DDHH 1” / Twitter](#). [‘IACHR takes note of judgment of 27th Criminal Court in Chambers Montevideo, on June 3, which ordered 7 military men to stand trial and to be held in custody for crimes against persons held in custody at the facilities of Battalion No 13 and 300 Carlos during the civilian military dictatorship’]

²⁹⁴ Los Andes. March 18, 2021. [La Corte dio vuelta un fallo y salvó a Macho y a Blas de una condena a prisión](#); [‘The Court overturned ruling and saved Macho and Blas from prison sentence’]; Via País. March 18, 2021. [Absolvieron a Raquel Blas y Roberto Macho por un corte de calle en 2016](#) [‘Raquel Blas and Roberto Macho acquitted for a street blockage in 2016’].

²⁹⁵ Permanent Mission of the Argentine Republic to the OAS. Information submitted by the State for the Annual Report of the Special Rapporteurship. September 21, 2021. Archive of the Special Rapporteurship for Freedom of Expression.

No. 27.635 on Equity in the Representation of Genders in Communication Services of the Argentine Republic.²⁹⁶ According to information provided by the State, it promotes gender parity from a perspective of sexual diversity in communication services, in whatever platform may be used, establishing a mandatory regime for communication services operated by State-managed providers and a promotion regime for communication services operated by for-profit and not-for-profit private management. In The Bahamas, the IACHR and the RELE are pleased that in the framework of the commemoration of World Press Freedom Day the Attorney General of The Bahamas appointed the first Freedom of Information Commissioner and the first Deputy Freedom of Information Commissioner;²⁹⁷ nonetheless, they are concerned about available information suggesting that the office did not begin operations immediately but instead focused on “other important issues.”²⁹⁸ In Brazil, the IACHR and the RELE take note of a few judicial decisions that help to ensure the exercise of freedom of expression by journalists who investigate matters of public interest, as well as progress in introducing legislative bills that seek to combat censure and protect the use of anonymity in literary works. Likewise, there was progress in the area of prosecutions, protection of confidentiality of sources and combating stigmatizing and discriminatory speech.²⁹⁹ Among other progress, we can note two decisions of the Federal Supreme Court that help to protect the confidentiality of sources of information. In February, the decision of the Federal Supreme Court (STF), closing the investigation that the Office of the Public Prosecutor was attempting to carry out of journalist Allan de Abreu for a story that he had published in 2011 about an alleged case of corruption, became settled law (*res judicata*). The decision of this STF put an end to the investigation.³⁰⁰ Likewise, in June, Justice of the Federal Supreme Court Dias Toffoli granted a partial injunctive measure in defense of the confidentiality of the sources of investigative journalists, who disclosed alleged cases of corruption in the National Department of Transportation of Espirito Santo. The justice ordered public authorities of the state of Espirito Santo to refrain from practicing acts aimed at holding journalists responsible for revealing an alleged corruption scheme.³⁰¹ Additionally, they welcome the creation of a Commission on Freedom of Expression by the Federal Council of the Brazilian Bar Association (Orden de Abogados) of Brazil³⁰² and the National Network for the Protection of Journalists and Media Workers by the Vladimir Herzog Institute and Artigo 19.³⁰³ As for Canada, the IACHR and the RELE congratulate the State for promoting the program “Connect to Innovate” in which it plans to invest 585 million Canadian dollars up until 2023 “to bring high speed Internet to 975 rural and remote communities, including 190 indigenous communities,” and for creating the Universal Broadband fund, which “supports highspeed Internet projects throughout Canada.”³⁰⁴ Additionally, they take note of information provided by the State about the existence of other programs that help provide digital literacy and guarantee online freedom of expression, access to information, informed

²⁹⁶ Official Bulletin of the Argentine Republic. July 8, 2021. [Ley 27635 sobre Equidad en la representación de los géneros en los servicios de comunicación de la República Argentina](#); [‘Law 27635 on Equity in representation of genders in communication services of the Argentine Republic’], IFJ. June 14, 2021. [Argentina: se aprobó la Ley de Equidad de Género en los medios de comunicación](#). [‘Argentina: Equity Law on Gender in media approved’].

²⁹⁷ Eyewitness News. May 3, 2021. [FOIA: Information Commissioner and Deputy Commissioner appointed](#); The Gleaner. May 4, 2021. [Bahamas appoints freedom of information commissioner](#); The Tribune. May 3, 2021. [Thompson Named As First In Freedom Of Information Role](#).

²⁹⁸ The Tribune. May 3, 2021. [Thompson Named As First In Freedom Of Information Role](#).

²⁹⁹ Jota. October 8, 2021. [TJSP: Cidadãos não devem indenizar prefeitura por críticas em redes sociais](#); [‘TJSP: Citizens should not receive compensation from the mayor’s office for criticism on social networks’]; COURT OF JUSTICE OF THE STATE OF SÃO PAULO. COMARCA DE SÃO PAULO. [Processo 1002489-35.2020.8.26.0020](#); Consultor Jurídico. September 23, 2021. [TJ-SP confirma decisão que negou queixa-crime contra jornalista da IstoÉ](#). [‘TJ-SP upholds decision dismissing criminal complaint against journalist of IstoÉ’].

³⁰⁰ Federal Supreme Court. AgReg. Recl 19464 São Paulo. [Acórdão](#). Ruling. 10/10/2020; Abraji. February 8, 2021. [STF encerra processo contra repórter que não revelou fonte](#). [‘STF dismisses case against reporter who would not reveal source’].

³⁰¹ Federal Supreme Court. June 22, 2021. [“Nenhum jornalista pode ser constrangido a revelar a fonte”, afirma Toffoli](#). [‘No journalist can be compelled to reveal source,’ asserts Toffoli’].

³⁰² Migalhas. July 23, 2021. [CFOAB cria comissão de defesa de liberdade de expressão](#). [‘CFOAB creates commission for the defense of freedom of expression’].

³⁰³ <https://rededeprotecao.org.br/a-rede/>

³⁰⁴ Archives of Rapporteurship. *OAS 2021 Annual Report of the Office of the Special Rapporteur for Freedom of Expression: Canada Submission – Freedom of Expression Online*.

debate and meaningful civic participation of citizens. In Chile, the IACHR and the RELE welcome the decision of the Preliminary Matter Court of Valparaíso of January 4, dismissing with prejudice the case against the members of the feminist collective LasTesis for the crimes of threats, assault of an authority and incitement to violence against the police stemming from a criminal complaint brought by the Carabineros. The complaint called into question several songs and audiovisual performances staged by this artistic group, that were widely posted on social networks. As for Colombia, the IACHR and the RELE welcome progress reported in the framework of the investigations into attacks on journalists in performance of their job. This progress includes the conviction of Ariel Ortega Martínez as the perpetrator of the crime of threats against journalists Julio César González Quiceno (known as Matador), Daniel Samper Ospina and María Antonia García de la Torre, which was handed down by Criminal Court 19 of the Circuit of Bogota. The court ruling found that messages sent by Ariel Ortega over social networks from 2017 to 2018 affected the journalistic profession and public opinion, inasmuch as they were used as a tool of intimidation of the press.³⁰⁵ Additionally, the IACHR and the RELE learned of the conviction of the person responsible for threatening Luis Carlos Vélez, the Director of News of *RCN Radio* in July 2018.³⁰⁶ The journalist has been the target of intimidation and death threats on several occasions.³⁰⁷ The Commission and the RELE also welcome the decision of the Plenary Chamber of the Constitutional Court, which struck down Article 55 of Law 29 of 1944, establishing a special regime of civil liability for journalists and media for damages to third parties as a consequence of their publications.³⁰⁸ In its judgment, the court declared the provision unconstitutional, on the grounds that it entailed a disproportionate infringement of journalists' right to report and that it jeopardized the constitutional right of reporters to not disclose their sources when they were obligated to prove that there was no intent to cause harm to third parties.³⁰⁹ Likewise, the Commission and the RELE welcome the judgment of the Constitutional Court of May 14, 2021, regarded as a landmark ruling, recognizing the rights of women journalists to enjoy a work environment free of violence, with actual equality and non-discrimination based on their gender.³¹⁰ With respect to Costa Rica, the IACHR and the RELE welcome the decision of the Constitutional Chamber of the Supreme Court of Costa Rica to entertain the action for constitutional relief (*acción de constitucionalidad*) filed by the National Association of Public and Private Employees against Law No. 9808, which was approved in 2020, "to provide legal certainty about strikes and their procedures" and which had instituted new regulations on the exercise of the right to freedom of peaceful assembly, on the grounds that it is the obligation of the State to ensure continuity of the provision of public services during strikes. On that occasion, the Court also stayed effect of the law while it rules on the action.³¹¹ Additionally, in the context of the debate on digital literacy, the

³⁰⁵ Office of the Attorney General of the Nation. October 15, 2021. [Condenado abogado que amenazó de muerte a tres periodistas a través de redes sociales](#); [Attorney who made death threats to three journalists over social networks convicted]; Infobae. October 14, 2021. [Tuitero que amenazó a Matador, Daniel Samper y María Antonia García, condenado a 76 meses de prisión](#); [Tweeter who threatened Matador, Daniel Samper and Maria Antonia Garcia, sentenced to 76 months in prison]; Semana. October 15, 2021. [Por amenazar desde redes sociales al caricaturista Matador y a otros periodistas fue condenado el abogado Ariel Ortega](#). [Attorney Ariel Ortega convicted for threatening on social networks political cartoonist Matador and other journalists].

³⁰⁶ La FM. September 2, 2021. [Condenan a 2 años de prisión a hombre que amenazó a Luis Carlos Vélez en redes sociales](#); [Man, who threatened Luis Carlos Velez on social networks sentenced to two years in prison]; El Tiempo. September 3, 2021. [Condenan al hombre que amenazó por redes al periodista Luis Carlos Vélez](#). [Man, who threatened Luis Carlos Velez over social networks convicted].

³⁰⁷ Las 2 Orillas. August 4, 2021. [El peligro que corre Luis Carlos Vélez](#); [Luis Carlos Velez in danger]; Infobae. August 5, 2021. [Flip expresó su preocupación por las amenazas contra el periodista Luis Carlos Vélez por su trabajo](#). [Flip expressed his concern over the threats against the journalist Luis Carlos Velez for his work].

³⁰⁸ El Tiempo. May 13, 2021. [El fallo de la Corte sobre periodismo e indemnizaciones por daños](#); [Ruling of the Court on journalism and compensation for damages]; Semana. May 14, 2021. [Corte Constitucional tumbó régimen especial que responsabilizaba a periodistas por daños a terceros en sus publicaciones](#); [Constitutional Court overturns special rules that hold journalists liable for damages to third parties in their publications]. Twitter account of El Veinte (@ElVeinteOrg). [14 de mayo de 2021](#). [May 14, 2021].

³⁰⁹ Constitutional Court of the Republic of Colombia. May 13, 2021. [Sentencia de Constitucionalidad C-135/21](#). [Judgment on Constitutionality C-135/21].

³¹⁰ Dejusticia. June 10, 2021. [En un fallo histórico, Corte Constitucional condena la violencia de género en espacios laborales](#). [In an historic ruling, Constitutional Court condemns gender violence in the workplace].

³¹¹ El Mundo CR. June 16, 2021. [Sala IV suspende aplicación de ley de huelgas mientras resuelve acción de inconstitucionalidad](#); [IV Chamber stays enforcement of law on strikes while it settles an unconstitutionality suit]; Semanario Universidad. April 19, 2021. [Sala Constitucional acoge para estudio acción de ANEP contra Ley Antihuelgas](#). [Constitutional Chamber grants motion to examine ANEP suit against AntiStrike Law].

Commission and Rapporteurship welcome the creation and promotion of the “Responsible Digital Citizenship” course, that was developed by the Supreme Electoral Tribunal to train citizens to identify disinformation, protect personal information and to encourage dialogue in the digital setting free of violence and discrimination.³¹² They also recognize the Legal Opinion issued by the Office of the Attorney General (*Procuraduría General de la República*), finding that “in order for municipalities or other public or private entities to be able to gather, store or have access to the biometric data of inhabitants, they must be authorized in a legal provision, defining the public purpose that is pursued thereby, and establishing the other parameters for its treatment, such as who will have access to this information and its purpose, how the data will be treated, the penalty regime in the event of a breach, security and backup measures, among other measures.”³¹³ As for Ecuador, the IACHR and the RELE note that it was the most improved country in the rankings of the annual Internet Freedom of Expression Index, compiled by the organization Freedom House. According to the report ‘Freedom on the Net,’ over the course of the year, the online human rights situation deteriorated in 30 countries, while only 18 countries posted improvements, with Ecuador posting the steepest rise. According to the report, improved conditions for the exercise of rights on the Internet in Ecuador are evident in the appearance of increasingly more diverse spaces, enabling journalists, citizens and users, who belong to usually excluded groups, such as indigenous peoples, to participate in public discussions.³¹⁴ They also take note of information provided by the State about inclusion of training on international human rights standards in the area of freedom of expression in the 2021 plan of the Office of Training and Mission Strengthening of the Office of the Attorney General. The purpose of these trainings is to prepare public servants and deepen their knowledge about investigations in this subject matter. As for El Salvador, the IACHR and RELE acknowledge the information provided by the State about its policy to strengthen coverage and participation of public media in media spaces and in the public debate as a priority objective of the current government, in order to promote plurality in the media. They also take note of the information submitted by the State that the Institute on Access to Public Information has designed tools to help promote a culture of transparency and access to information in El Salvador, such as the Transparency Portal, through which information is posted *ex officio*; or “Portal Legisla,” where citizens can participate in the rule-making process of public institutions, designed as a tool of citizen participation. Lastly, they take note of information provided by the Supreme Court of Justice of El Salvador, referring to the fact that, since the start of the pandemic, the judiciary has attempted to make communications more accessible and interactive with citizens in general and with stakeholders in the justice system, such as journalists, students, bar associations, national institutions and international agencies. As for the United States, the IACHR and the RELE take note that in 2021 Jarrod Ramos was convicted and sentenced to life imprisonment for the murder of 5 journalists and the attempted murder of another seven, during a shooting rampage in the news room of the daily newspaper the *Capital Gazette*, in Annapolis, capital of the state of Maryland, on June 28, 2018. The attack resulted in the deaths of the editors Rob Hiaasen, Wendi Winters, Gerald Fischman, of reporter John McNamara and sales assistant Rebecca Smith. The IACHR and the RELE also welcome the decision of the US Supreme Court in the case of Mahanoy Area School District v. B.L., finding that the comments of a female student criticizing the school she attended with vulgar language over the social networks is protected under the First Amendment of the Constitution. According to the Court, the punishment of the student violated her right to freedom of expression, on the grounds that she had expressed herself over personal networks, outside of the school, and that her statements did not constitute a substantial disruption at the school nor a threat of harm to third parties.³¹⁵ Likewise, they take note of available information about the government in July banning US attorneys from using warrants or subpoenas to identify journalists’ sources. The Attorney General announced a new policy, that is even applicable in cases of disclosure of classified information, directing the Department of Justice, as a rule, to no longer “use compulsory legal process for the purpose of obtaining information from or records of members of

³¹² Supreme Electoral Court of the Republic of Costa Rica. August 3, 2021. [TSE impulsa formación de ciudadanos responsables en el uso de las redes sociales](#). [‘TSE promotes educating citizens to be responsible in using social networks.’].

³¹³ Opinión Jurídica [Legal Opinion] 004-2021. [8 de enero de 2021](#). [January 8, 2021]

³¹⁴ Freedom House. [Freedom on the Net 2021: Ecuador](#).

³¹⁵ US Supreme Court. June 23, 2021. [MAHANAY AREA SCHOOL DISTRICT v. B. L., A MINOR, BY AND THROUGH HER FATHER, LEVY, ET AL.](#)

the news media acting within the scope of newsgathering activities.”³¹⁶ This stemmed from several complains about subpoenas being issued by prosecutors to seize information from emails, telephone records and other communications of journalists. They also take note of the revocation of Executive Orders 13950 of September 2020³¹⁷ and 13925 of May 2020, which had been a source of concern because they could restrict freedom of expression. Even though its purpose was to establish policies to combat the use of racial and gender-based stereotypes, the first Order would have had a chilling effect, particularly on diversity and inclusion policies of academic institutions.³¹⁸ The second Order, among other things, ordered different federal agencies to take steps to amend Section 230 of the Communications Decency Act of 1996, which according to civil society organizations, signified a serious backward step for freedom of expression on Internet.³¹⁹ In Guatemala, the IACHR and the RELE take note of information provided by the State about the roll out on July 12, 2021, of the “Press Room,” a digital platform that brings together in one place informational resources produced by executive branch agencies. According to the State, this platform is designed as a journalism support tool and to democratize access to public information. Additionally, the IACHR and the RELE have reported progress in the case proceedings of journalist Norma Sancir. On September 18, 2014, the collaborator of *Prensa Comunitaria* was arrested as she documented the conduct of the police during a demonstration in the Ch’orti’ region, in Chiquimula, remaining in custody for four days.³²⁰ According to available information, on September 22, 2021, the Criminal and Drug Trial Court of Chiquimula resumed a preliminary hearing in the case against four National Civilian Police agents.³²¹ The IACHR and the RELE also welcome the decision of September 3, 2021 of the Criminal Trial Court of Nebaj, dismissing the criminal case against Maya K’ich’e indigenous journalist Anastasia Mejía Tiriquiz, for alleged crimes of “sedition” and “specifically aggravated assault,” on the grounds of the lack of sufficient evidence to charge her.³²² In Guyana, the IACHR and the RELE received information about Guyana joining the Media Freedom Coalition, which was founded in 2019 to defend media freedom where it is under threat. The Coalition is jointly led by Canada and the United Kingdom. In Mexico, the IACHR and Special Rapporteurship welcome the progress in the prosecution of the most emblematic cases of murders and gross human rights violations perpetrated against journalists in Mexico over the past decades. Thus, by way of example, on February 3, 2021, the former governor of the state of Puebla, Mario Marin, was arrested in the city of Acapulco, charged with being the mastermind behind the alleged crime of the torture of journalist Lydia Cacho in 2005. On February 9, the Second District Court in Quintana Roo served notice of the formal custody warrant.³²³ Similarly, based on available information, on May 11, 2021, a panel of judges found Anwar Osiris Delgado Cedillo, AKA “The Ninja,” guilty of the crimes of femicide and of a crime comparable to

³¹⁶ Swiss Info. July 19, 2021. [La justicia de EEUU ya no podrá obligar a los medios a revelar sus fuentes](#); [‘US courts will no longer be able to force media to reveal its sources’]; CPJ. July 19, 2021. [CPJ welcomes new US rules protecting journalists’ records](#).

³¹⁷ The White House. January 20, 2021. [Executive Order on Advancing Racial Equality and Support for Underserved Communities Through the Federal Government](#); The White House. May 14, 2021. [Executive Order on the Revocation of Certain Presidential Actions and Technical Amendment](#).

³¹⁸ Pen America. September 28, 2020. [Trump Directives Restricting Discussion of Race, Discrimination are Censorship](#).

³¹⁹ EFF. May 14, 2021. [President Biden Revokes Unconstitutional Executive Order Retaliating Against Online Platforms](#); EFF. May 31, 2021. [Dangers of Trump’s Executive Order Explained](#).

³²⁰ IACHR. 2014 Annual Report. [Informe de la Relatoría Especial para la Libertad de Expresión](#). Report of the Special Rapporteurship for Freedom of Expression. OEA/Ser.L/V/II Doc. 13. March 9, 2015. Par. 551.

³²¹ Federación Guatemalteca de Escuelas Radiofónicas. September 22, 2021. [Inicia etapa intermedia en caso de periodista Norma Sancir - Federación Guatemalteca de Escuelas Radiofónicas](#); [‘Intermediate stage begins in case of journalist Norma Sancir – Guatemalan Federation of Radiofonic Schools’]; Ruda. September 22, 2021. [Policías podrían enfrentar juicio por abuso de autoridad en contra de periodista](#). [‘Policemen could face trial for abuse of authority against journalist’].

³²² CPJ. September 13, 2021. [El CPJ saluda decisión de sobreseer la causa penal abierta contra la periodista guatemalteca Anastasia Mejía](#); [The CPJ welcomes decision to dismiss criminal case against Guatemalan journalist Anastasia Mejía’]; International Federation for Human Rights. September 23, 2021. [Guatemala: Fin de la criminalización de Anastasia Mejía Tiriquiz](#). [‘Guatemala: End of criminalization of Anastasia Mejía Tiriquiz’].

³²³ BBC. February 4, 2021. [Mario Marín: detienen al exgobernador de Puebla por caso de torturas a la periodista Lydia Cacho](#); [‘Mario Marín: ex-governor of Puebla arrested for the case of torture of journalist Lydia Cacho’]; Artículo 19. February 10, 2021. [Juez dicta auto de formal prisión contra el exgobernador Mario Marín por tortura a Lydia Cacho](#); [‘Judge issues formal incarceration order against former governor Mario Marín for the torture of Lydia Cacho’]; Forbes México. February 10, 2021. [Dictan prisión contra Mario Marín por tortura a Lydia Cacho](#). [‘Custody order issued for Mario Marín for torture of Lydia Cacho’].

robbery of journalist Alicia Diaz, murdered in 2018. The Assistant Prosecuting Attorney of the Office of the Attorney General of Nuevo Leon reported that the defendant was convicted and sentenced to 50 years in jail as the actual perpetrator of the crime, and was sentenced to an additional prison term for a crime comparable to robbery and to payment of compensation as reparation for damages.³²⁴ Journalist Alicia Díaz González was murdered on May 23, 2018 in her residence, in the city of Monterrey, Nuevo Leon. The reporter worked at the daily newspaper El Norte for 20 years, and she had been a collaborator with the national daily newspaper El Financiero from January 2018.³²⁵ Additionally, the IACHR and the RELE deem as particularly important the progress made with regard to the investigation into the murder of journalist Javier Valdez, which took place on May 15, 2017, in Culiacan, Sinaloa. According to the information received, on June 8, 2021, Federal Judge José Noé Egre handed down a conviction of Juan Francisco Picos, AKA “El Quillo,” a member of a local criminal gang, for his material participation in the murder of the reporter. He also established that Javier Valdez was the victim of a homicide as a consequence of his investigative reporting. According to the organization Alianza Cívica, this ruling stands as an “important precedent” in combatting impunity for crimes against journalists in Mexico. Javier Valdez worked as a journalist and writer, mostly investigating matters of organized crime and drug trafficking; he was the founder and editor in chief of the weekly magazine in Sinaloa *Ríodoce* and a correspondent in Sinaloa of the daily newspaper *La Jornada*.³²⁶ The Commission and Special Rapporteurship also welcome the finding of the Supreme Court that the General Social Communication Law is unconstitutional. Citing Inter-American human rights standards, the Court concluded that the statute infringes the right to freedom of expression and the right to information, on the grounds that it does not provide criteria nor for clear and precise allocation for government expenditure on social communication, and does not provide for mechanisms to ensure that this expenditure fulfills constitutional criteria.³²⁷ As for Panama, the IACHR and the RELE noted the entry into force of the new Law 81 of 2019 on Protection of Personal Data, updating the regulatory framework on personal data in the hands of private enterprise, State agencies and non-profit entities. The Law recognizes that the data belong to the individual person they pertain to and any manipulation, disclosure and/or treatment thereof, must be subject to the consent of the affected person.³²⁸ They also welcome progress reported in Panama in the area of transparency and access to information. On September 29, 2021, the National Authority of Transparency and Access to Information (ANTAI) announced that as of January 2022, transparency monitoring of the websites of public entities would be digitized, so that State entities more efficiently comply with active transparency requirements and the public policy on open source data. During the ceremony presenting the ANTAI Smart CID platform, the ANTAI director general noted that this initiative is based on the use of technologies to promote citizens’ access to information.³²⁹ With respect to Peru, the IACHR and the RELE take note of the decision of the Fourth National Transitory Superior Criminal Chamber for Sentencing, which convicted Vladimiro Montesinos Torres to 17 years of deprivation of liberty and José Rolando Valdivia Dueñas to 12 years of prison for the abduction of journalist Gustavo Gorriti on April

³²⁴ El Financiero. May 12, 2021. [Dan 55 años de cárcel al asesino de periodista](#); [‘55 years in jail given to murderer of journalist’]; El Universal. May 12, 2021. [Dan 55 años de prisión a sujeto que asesinó a la periodista Alicia Díaz en Nuevo León](#). [‘55 years in jail given to individual who murdered journalist Alicia Diaz in Nuevo Leon’].

³²⁵ IACHR. Office of the Special Rapporteur for Freedom of Expression. June 1, 2018. Press Release R125/18. [La Relatoría Especial condena el asesinato de periodistas en México y observa con preocupación la situación de violencia contra comunicadores](#). Office of the Special Rapporteur condemns the murder of journalists in Mexico and notes with concern the situation of violence against media workers

³²⁶ Propuesta Cívica. June 8, 2021. [Fallo condenatorio para Juan Francisco Picos Barrueta alias “El Quillo” por su participación en el asesinato del periodista Javier Valdez](#); [‘Conviction of Juan Francisco Picos Barrueta aka “El Quillo” for his participation in the murder of journalist Javier Valdez’]; El País. June 8, 2021. [Condenado El Quillo por el asesinato del periodista Javier Valdez](#); [‘El Quillo convicted for the murder of journalist Javier Valdez’]; CPJ. June 9, 2021. [CPJ welcomes 2nd conviction in case of slain Mexican journalist Javier Valdez Cárdenas](#).

³²⁷ Artículo 19. September 8, 2021. [La Suprema Corte de Justicia de la Nación ampara a ARTICULO 19 y declara inconstitucional la Ley General de Comunicación Social](#); [‘Supreme Court of Justice of the Nation grants protection to ARTICULO 19 and declares unconstitutional the General Law of Social Communication’]; Expansión. September 8, 2021. [La Corte declara inconstitucional la Ley General de Comunicación Social](#). [‘The Court declares unconstitutional the General Law of Social Communication’].

³²⁸ La Prensa. March 29, 2021. [Empieza la era de protección de datos personales](#). [‘The era of personal data protection begins’]

³²⁹ Republic of Panama, National Authority for Transparency and Access to Information, September 29, 2021. [Comunicado](#); La Prensa. September 29, 2021. [Digitalizan el monitoreo mensual de transparencia de entidades públicas](#). [Monthly monitoring of transparency of public entities is digitized]

5, 1992, in the context of the shutting down of democratic space and of the National Congress.³³⁰ They also note progress by the Third National Superior Criminal Chamber for Sentencing in the oral trial of Daniel Urresti, charged with the murder of journalist Hugo Bustíos on November 24, 1988.³³¹ In the Dominican Republic, the IACHR and the RELE recognize a general atmosphere guaranteeing the exercise of freedom of expression and of the press and of the protections of the practice of journalism. According to information provided by the Dominican College of Journalists, through a communication from the State, over the year, “there has been a minimum number of cases of threats, assaults, harassment and intimidation of journalists” and that “there have not been any measures reported against media outlets, cases of shutting down of radio broadcasts, television channels, or repression against media.”³³² Likewise, based on studies conducted by the State, information was also received from the Dominican Society of Daily Newspapers, claiming that “the practice of journalism is exercised in the Dominican Republic smoothly, because of the diversity of media outlets and respect for freedom of expression” and that “there is no violence or threats against journalists, although groups linked to illicit activities may engage in this practice.”³³³ In this same vein, senior management of the daily newspaper *Listín Diario* reported to the Rapporteurship that there are “isolated” cases of possible violations of freedom of the press, “not really the fruit of any State policy, abuse, threats or interference with journalists or commentators for their critical opinions.”³³⁴ This general propitious atmosphere for the practice of journalism is also recognized by the Inter-American Press Association.³³⁵ In Suriname, the IACHR and the RELE took note of the draft of the *Freedom of Information Act*, which was introduced on November 5 for debate in the parliament. The legislative bill seeks to achieve transparency in governance, as well as to make government information more accessible to the public.³³⁶ They also welcome the information provided by the State about public awareness efforts on the subject of gender-based violence, aimed at, among other actors, senior government officials.³³⁷ In Trinidad and Tobago, the Commission and the Special Rapporteurship welcome the decision issued on January 13, 2021 by Superior Court Judge Frank Seepersad, holding that search warrants of the office of the newspaper *Trinidad Express*, secured by the police to seize information that could help to identify the source of a journalist were “clearly irregular,” illegal and unconstitutional, inasmuch as they disproportionately infringed the right to freedom of the press of media outlets.³³⁸ The ruling noted that the decision to raid the media outlet offices “required an informed and restrained determination on whether the public interest in identifying and bringing to trial the source of the journalist was more important than the right of the public to know that a serious investigation was taking place into a high-ranking police official,” and that the police failed to engage in such an examination, according to Judge Seepersad. As for Uruguay, the IACHR and the RELE note that, according to information provided by the State, the Ceibal Plan, as an accessibility

³³⁰ Latam Journalism Review. November 30, 2021. [Periodista peruano Gustavo Gorriti sobre la sentencia de su secuestro: “No siento alegría, pero sí certeza de que la sentencia fue correcta”](#); [‘Peruvian journalist Gustavo Gorriti on sentencing for his kidnapping: “I do not feel joy, but certainty that the sentence was correct”]; La República. August 18, 2021. [Dictan 17 años de prisión contra Vladimiro Montesinos por secuestro de Gustavo Gorriti](#) [‘17 years in prison given to Vladimiro Montesinos for the kidnapping of Gustavo Gorriti’].

³³¹ Justicia TV. [Juicio oral contra Daniel Urresti Elera por el asesinato del periodista Hugo Bustíos](#). [‘Oral trial of Daniel Urresti Elera for the murder of journalist Hugo Bustíos’].

³³² Dominican Republic. Annex to Official Letter 1383 – COMPENDIUM OF INFORMATION FROM THE DR ABOUT 2021 IACHR REPORT -2021. September 16, 2021 Archive of the RELE.

³³³ Dominican Republic. Annex to Official Letter 1383 – COMPENDIUM OF INFORMATION FROM THE DR ABOUT 2021 IACHR REPORT -2021. September 16, 2021 Archive of the RELE.

³³⁴ Dominican Republic. Annex to Official Letter 1383 – COMPENDIUM OF INFORMATION FROM THE DR ABOUT 2021 IACHR REPORT -2021. September 16, 2021 Archive of the RELE.

³³⁵ Inter-American Press Association. October 15, 2021. [Informe ante la 77ª Asamblea General Virtual 19 – 22 de octubre de 2021. República Dominicana](#). [‘Report to the 77th Virtual General Assembly October 19-22, 2021, Dominican Republic’]

³³⁶ StarNieuws. November 5, 2021. [Opposition submits draft Public Administration Act](#); Archive of the Special Rapporteurship. Information submitted by the civil society of Suriname. November 22, 2021.

³³⁷ Republic of Suriname. October 22, 2021. RESPONSE IN RELATION TO THE 2021 ANNUAL REPORT OF THE SPECIAL RAPORTEUR FOR FREEDOM OF EXPRESSION OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS. Archive of the RELE.

³³⁸ The Gleaner. January 14, 2021. [Judge Rules Raid On Media House In Trinidad Unconstitutional](#); Barbados Today. January 13, 2021. [Regional: Judge rules raid on media unconstitutional](#); Trinidad & Tobago Guardian. January 14, 2021. [Judge rules raids on Express unlawful](#).

platform created in the context of the pandemic, aided in the continuity of education in 2021. Additionally, the State has noted that, in 2021, the proposed “Standards for democratic regulation of large platforms to guarantee online freedom of expression and a free and open internet,” drafted by the Latin American Observatory on Regulation of the Media and Convergence (OBSERVACOM), will be presented at the Parliament to kick off a study on the subject, which is regarded as having gained “currency in the southern hemisphere and the continents of the Americas.” The proposal seeks to establish criteria for the regulation of content in search of a “third way,” outside of the self-regulation of technology companies or state intervention, according to the information provided.³³⁹ As for Venezuela, the IACHR and the RELE recognize as an important advancement the decision of the Second Trial Court of Nueva Esparta acquitting Chilean journalist Braulio Jatar on September 10, 2021.³⁴⁰ On September 3, 2016 agents of the Bolivarian National Intelligence Service arrested Jatar, the director of the digital media outlet Reporte Confidencial, who was subsequently charged with money laundering. The arrest of the social communicator took place the day after the visit of Nicolas Maduro to the Municipality of Villa Rosa on Margarita Island, during which a protest unfolded leading the leader to directly confront some of the demonstrators. The news portal run by Jatar had covered the events, posting videos and reports about the demonstration.³⁴¹ According to the information received at that time, the authorities accused the reporter of attempting to fund a “terrorist attack” during the Non-Aligned Countries’ Movement Summit, the kick off of which was scheduled for September 13 of that year. Braulio Jatar was held in custody for almost three years, both in prison and under house arrest. On July 8, 2019, he was granted parole and was banned from leaving the country and required to appear before the court every two weeks.

45. With respect to **economic, social, cultural and environmental rights**, the Commission and the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights (REDESCA) take note of the implementation in most countries of the region of important vaccination plans that have been determinant in strengthening efforts to eradicate the pandemic. Additionally, the IACHR and the REDESCA welcome the accords on climate change emerging from COP26, which was held in early November 2021 in Glasgow. Even though these accords promote the continuation of dialogue between States and other actors vis-à-vis the promotion of ambitious climate action, we issue a call for it to provide for a rights-based approach. The IACHR and the REDESCA also hail the approval and publication of the Principles for Human Rights in Fiscal Policy in 2021, an initiative led by a group of accomplished organizations and regional civil society experts, expressing their backing for this tool to aid in implementing Inter-American standards on the subject matter, that are useful to the bodies of the Inter-American system, as well as to the OAS member States and other important actors. The IACHR and the REDESCA further take note that in Honduras the Secretariat of Health (SESAL) acquired, through the establishment of a trust, the quantity of medicine necessary to maintain the major hospitals supplied over 2021.³⁴² Additionally, according to information provided by the State, through the Pan American Health Organization (PAHO), the United Nations World Population Fund (UNFPA), the Council of Ministers of Health of Central America (COMISCA) and the Normative Office of Hiring and Procurement of the State of Honduras (ONCAE), personal protective equipment, supplies, medicines, medical surgery material, have been acquired in response to the rise in COVID-19 cases.³⁴³ The IACHR also takes note of the annual general budget approved by the National Congress for public investment in 2021 in the amount of 24.023

³³⁹ Permanent Mission of Uruguay to the OAS. September 20, 2021. Submission for the 2021 Annual Report of the Special Rapporteurship.

³⁴⁰ El Nacional. September 10, 2021. [Declaran No Culpable a comunicador Braulio Jatar](#); [‘Media worker Braulio Jatar found not guilty’]; El Carabobeño. September 10, 2021. [Libertad plena: Periodista Braulio Jatar fue declarado no culpable](#). [‘Full release: Journalist Braulio Jatar was found not guilty’].

³⁴¹ CPJ. September 13, 2021. [El CPJ saluda fallo absolutorio a favor del periodista venezolano Braulio Jatar](#); [‘The CPJ welcomes the acquittal of Venezuelan journalist Braulio Jatar’]; LatAm Journalism Review. July 9, 2021. [Periodista Braulio Jatar es liberado de arresto domiciliario pero tiene prohibido salir de Venezuela](#). [‘Journalist Braulio Jatar is released from home arrest but is prohibited from leaving Venezuela’].

³⁴² Republic of Honduras, State of Honduras’ observations on the Report on the situation of human rights in Honduras 2019, October 29, 2021, pg. 10.

³⁴³ Republic of Honduras, State of Honduras’ observations on the Report on the situation of human rights in Honduras 2019, October 29, 2021, pg. 10.

billion lampiras, where was distributed among the Public Investment Program, the Solidarity and Social Protection Program for Poverty Reduction, Road Infrastructure projects, as well as among the Trusts of: Investments and Allocations (FINA), Support and Promotion of Sport, Improvement of Highway Infrastructure of the Departments of Colon and improvement of the Infrastructure and Services of the Department of the Bay Islands.³⁴⁴

46. In conclusion, the IACHR noted outstanding efforts of States through the development of policies, plans and legislative and judicial measures to advance in the promotion and effective protection of the human rights of their inhabitants. The Commission recognizes those efforts and urges the States to continue designing and implementing a human-rights based approach to public policies in keeping with the recommendations of the bodies of the Inter-American Human Rights System and to disseminate this approach to all institutions of the State and civil society as a whole. The IACHR places itself at the disposal of the States to provide any technical assistance that may be required to fulfill those purposes.

B. Universalization of the Inter-American Human Rights System

1. Ratification Status of Inter-American Instruments

47. The current status of signatures and ratifications of inter-American treaties on human rights can be consulted on the web page of the Department of International Law of the OAS Secretariat for Legal Affairs at the following website: http://www.oas.org/es/sla/ddi/tratados_multilaterales_interamericanos_firmas.asp

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

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

³⁴⁴ Republic of Honduras, State of Honduras' observations on the Report on the situation of human rights in Honduras 2019, October 29, 2021, pg. 10.

El Salvador	22-11-69	20-06-78	RA 23-06-78	06-06-95
United States	01-06-77			
Grenada	14-07-78	14-07-78	RA 18-07-78	
Guatemala	22-11-69	27-04-78	RA 25-05-78	09-03-87
Guyana				
Haiti		14-09-77	AD 27-09-77	20-03-98
Honduras	22-11-69	05-09-77	RA 08-09-77	09-09-81
Jamaica	16-09-77	19-07-78	RA 07-08-78	
Mexico		02-03-81	AD 24-03-81	16-12-98
Nicaragua	22-11-69	25-09-79	RA 25-09-79	12-02-91
Panama	22-11-69	08-05-78	RA 22-06-78	09-05-90
Paraguay	22-11-69	18-08-89	RA 24-08-89	26-03-93
Peru	27-07-77	12-07-78	RA 28-07-78	21-01-81
Dominican Republic	07-09-77	11-01-78	RA 19-04-78	25-03-99
San Kitts and Nevis				
Saint Lucia				
Saint Vincent and the Grenadines				
Suriname		12-11-87	AD 12-11-87	12-11-87
Trinidad and Tobago		03-04-91	AD 28-05-91*	28-05-91
Uruguay	22-11-69	26-03-85	RA 19-04-85	19-04-85
Venezuela	22-11-69	07-01-19	RA 07/31/19**	07-01-19

Source: Department of International Law of the OAS General Secretariat

* Complaint filed in May 1998

** Complaint filed in September 2012

RA = RATIFICATION

AD = ACCESSION

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

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

States	PACAMDE SC ³⁴⁵	PCADHAP M ³⁴⁶	CIPST ³⁴⁷	CIDFP ³⁴⁸	CIPSEVM 349	CIEFDPD 350	CICTFDI ³⁵¹	CICDRFC J ³⁵²	CIPDHPM 353
Antigua & Barbuda					A 12-08-98		R 01-06-18		
Argentina	R 30-03-03	R 18-06-08	R 18-11-88	R 31-10-95	R 09-04-96	R 28-09-00	F 07-06-13	F 07-06-13	R 23-10-17
Bahamas					A 03-05-95				
Barbados					R 08-02-95				
Belice					A 25-11-96				
Bolivia	R 12-07-06		R 26-08-96	R 19-09-96	R 26-10-94	R 27-02-03	F 10-03-15	F 10-03-15	R 17-05-17
Brazil	A 08-08-96	R 31-07-96	R 09-06-89	R 26-07-13	R 16-11-95	R 17-07-01	F 07-06-13	R 03-28-21	F 15-06-15
Canada									
Chile		R 04-08-08	R 15-09-88	R 13-01-10	R 24-10-96	R 04-12-01	F 22-10-15	F 22-10-15	R 15-08-17
Colombia	A 22-10-97		R 02-12-98	R 01-04-10	A 03-10-96	R 04-12-03	F 08-09-13	F 08-09-14	
Costa Rica	R 29-09-99	R 30-03-98	R 25-11-99	R 20-03-96	R 05-07-95	R 08-12-99		R 12-12-16	R 12-12-16
Cuba									
Dominica					R 30-06-95				
Ecuador	R 10-02-93	R 05-02-98	R 30-09-99	R 07-07-96	R 30-06-95	R 01-03-04	F 07-06-13	R 14-01-20	
El Salvador	R 04-05-95		R 17-10-94		R 13-11-95	R 15-01-02			A 18-04-18
Estados Unidos									
Grenada					R 29-11-00				
Guatemala	R 30-05-00		R 10-12-86	R 27-07-99	R 04-01-95	R 08-08-02			
Guyana					R 08-01-96				
Haití					A 07-04-97	R 29-05-09	F 25-06-14	F 25-06-14	
Honduras	A 14-09-11	A 14-09-11		R 28-04-05	R 04-07-95	A 14-09-11			
Jamaica					R 11-11-05				
México	R 08-03-96	R 28-06-07	R 11-02-87	R 28-02-92	R 19-06-98	R 06-12-00	R 21-01-20	R 21-01-20	
Nicaragua	R 15-12-09	R 24-03-99	A 23-09-09		R 06-10-95	R 15-07-02			
Panamá	R 28-10-92	R 27-06-91	R 27-06-91	R 31-07-95	R 26-04-95	R 24-01-01	F 05-06-14	F 05-06-14	
Paraguay	R 28-05-97	R 31-10-00	R 12-02-90	R 26-08-96	R 29-09-95	R 28-06-02			A 03.01.21
Perú	R 17-05-95		R 27-02-90	R 08-02-92	R 02-04-96	R 10-07-01	F 25-10-16	F 25-10-16	
República Dominicana		A 19-12-11	R 12-12-86		R 10-01-96	R 28-12-06			
San Kitts y Nevis					R 17-03-95				
Santa Lucía					R 08-03-95				

³⁴⁵ Additional Protocol to the American Convention on Economic, Social and Cultural Rights, adopted in San Salvador, El Salvador, November 17, 1988, 18th regular session of the General Assembly.

³⁴⁶ Protocol to the American Convention on Human Rights to Abolish the Death Penalty, adopted in Asuncion, Paraguay, on 8 June 1990, 20th regular session of the General Assembly.

³⁴⁷ Inter-American Convention to Prevent and Punish Torture, adopted at Cartagena de Indias, Barranquilla, Colombia, on December 9, 1985, 15th Regular Session of the General Assembly.

³⁴⁸ Inter-American Convention on Forced Disappearance of Persons, adopted in Belém do Pará, Brazil, on June 9, 1994, 24th Regular Session of the General Assembly.

³⁴⁹ Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, adopted in Belém do Pará, Brazil, on June 9, 1994, 24th Regular Session of the General Assembly.

³⁵⁰ Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, adopted in Guatemala City, Guatemala, June 7, 1999, 29th regular session of the General Assembly.

³⁵¹ Inter-American Convention against All Forms of Discrimination and Intolerance, adopted in Guatemala City, Guatemala, June 5, 2013, 43rd regular session of the General Assembly.

³⁵² Inter-American Convention against Racism, Racial Discrimination and Related Intolerance, adopted in Guatemala City, June 5, 2013, 43rd regular session of the General Assembly.

³⁵³ Inter-American Convention on the Protection of the Human Rights of Older Persons, adopted in Washington, D.C., on June 15, 2015, 45th regular session of the General Assembly.

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

Source: Department of International Law of the OAS General Secretariat

2. Progress Made with the Ratification and Signature of Instruments of the Inter-American System in 2021

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

50. In particular, the Inter-American Commission applauds the states of Brazil and Peru for their ratification of and adherence to the international instruments for the protection of human rights identified below, in chronological order.

51. On March 1, 2021, by means of a note addressed to the General Secretariat of the Organization of American States, Peru deposited its instrument of adhesion to the Inter-American Convention on Protecting the Human Rights of Older Persons.

52. On May 28, 2021, Brazil deposited its instrument of ratification of the Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance.

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

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

54. The Inter-American Commission on Human Rights (“IACHR” or “Inter-American Commission”) is an autonomous organ of the Organization of American States (OAS), headquartered in Washington, D.C. Its mandate is established in the OAS Charter, the American Convention on Human Rights (“American Convention”) and the IACHR Statute. Along with the Inter-American Court of Human Rights, headquartered in San Jose, Costa Rica, the Inter-American Commission is one of two organs of the inter-American system responsible for the promotion and protection of human rights.

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

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

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

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

59. The American Convention on Human Rights was approved in 1969 and came into force in 1978. As of December 2021, twenty-four Member States are parties to this instrument: Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominica, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Suriname, Uruguay, and Venezuela.

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

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

- a) Receive, examine and investigate individual petitions alleging human rights violations, in keeping with Articles 44 to 51 of the American Convention, Articles 19 and 20 of its Statute, and Articles 23 to 52 of its Rules of Procedure.
- b) Observe the general human rights situation in the Member States and publish special reports on the situation in a particular Member State, when it is deemed necessary, as provided under Article 60 of its Rules of Procedure.
- c) Conduct *in situ* visits to countries in order to carry out a thorough analysis of the general situation and/or to investigate a specific situation, as provided for under Article 18 of its Statute and Article 53 of its Rules of Procedure. In general, these visits result in the preparation of a report on the human rights situation of the country concerned, which is published and submitted to the OAS Permanent Council and General Assembly.
- d) Raise public awareness about human rights in the Americas. For this purpose, the IACHR conducts and publishes studies on specific themes in keeping with Article 15 of its Rules of Procedure. Examples include: what measures must be adopted to ensure greater access to justice; the effect of internal armed conflicts on particular groups of persons; the human rights situation of children, women, LGBTI persons, migrant workers and their families, persons deprived of liberty, human rights defenders, indigenous peoples and persons of African descent; racial discrimination, freedom of expression and economic, social and cultural rights.
- e) Organize and host visits, conferences, seminars and meetings with representatives of governments, academic institutions, non-governmental entities and others, in order to disseminate information and foster broad awareness of the work of the Inter-

American human rights system, in accordance with Article 41 of the American Convention on Human Rights and Article 18 of the IACHR Statute.

- f) Recommend that the OAS Member States adopt measures that contribute to the protection of human rights in the countries of the hemisphere, in accordance with Article 41 of the American Convention on Human Rights and Article 18 of the IACHR Statute.
- g) Request Member States to adopt precautionary measures, as provided for by Article 25 of the Commission's Rules of Procedure, in order to prevent irreparable harm to persons in serious and urgent cases. Additionally, in keeping with Article 76 of its Rules of Procedure, the IACHR may request that the Inter-American Court orders the adoption of provisional measures in cases of extreme gravity and urgency to prevent irreparable harm to persons.
- h) Bring cases and appear before the Inter-American Court of Human Rights during the processing and consideration of the cases, in accordance with Article 61 of the American Convention on Human Rights and Articles 45 and 74 of the IACHR Rules of Procedure.
- i) Request advisory opinions from the Inter-American Court, in accordance with Article 64 of the American Convention and Article 19 of the IACHR Statute.

62. Every person, group of persons, or non-governmental entity legally recognized in one or more OAS Member States may submit petitions to the Inter-American Commission regarding violations of a right recognized in the American Convention, the American Declaration or other relevant instruments, in accordance with the respective provisions thereof, the IACHR Statute, and the Rules of Procedure. Additionally, in the circumstances described and regulated under Article 45 of the American Convention, the IACHR may consider interstate communications. Petitions may be submitted in any of the four official OAS languages (Spanish, French, English, or Portuguese), either by the alleged victim of the human rights violation or by a third party; and in the case of interstate communications, by a State.

D. Structure of the Executive Secretariat

ORGANIZATION CHART

