

CHAPTER III

ACTIVITIES OF THE RAPORTEURSHIPS, COUNTRY AND THEMATIC REPORTS AND PROMOTION

A. Activities of the Rapporteurships

1. As of 1990, the Inter-American Commission began to create Thematic Rapporteurships for the purpose of focusing attention on certain persons, groups, and communities that are especially exposed to human rights violations in light of their situation of vulnerability and due to the historical discrimination to which they have been subjected. The aim in establishing a Thematic Rapporteurship is to strengthen, give impetus to, and systematize the work of the Inter-American Commission itself on specific issues. In this regard, the Rapporteurships encourage awareness of human rights among the peoples of the Americas.¹ The Rapporteurships also support the work of the IACHR in developing legal standards; they contribute to the knowledge of the mechanisms of the inter-American system; and they further access to national and international justice for the persons, groups, and communities related to this thematic approach. At the same time, the Rapporteurships of the IACHR engage in sustained cooperation with various sectors working on the issues they focus on, including the Rapporteurships of the United Nations and other universal mechanisms, civil society organizations, the states, and academia, among others.

2. The Thematic Rapporteurships of the IACHR are governed by provisions established in Article 15 of its Rules of Procedure and in the practices established by the plenary of the Commission. The Commission approves the reports and work plans of each Rapporteurship and supervises the day-to-day implementation of their mandates. Given their status as thematic offices created by the IACHR itself, the Rules of Procedure of the IACHR define with precision the procedure for establishing them and for choosing the thematic rapporteurs. In addition, the Rules of Procedure regulate the functions performed by the IACHR in which its Rapporteurships participate. The rules and practices mentioned constitute an important set of norms that regulate the conduct of all the Rapporteurships and establish rigorous procedures for action.

3. The Thematic Rapporteurships also cooperate in performing the principal function of the IACHR of promoting the observance and protection of human rights, and to serve as the consultative organ of the OAS on human rights.² In this regard, they may ask governments of the states to provide reports on the human rights-related measures they adopt³; and make recommendations for them to adopt progressive measures in favor of human rights, in keeping with the mandate of the IACHR. The rapporteurs also prepare studies and reports relevant to their thematic functions.⁴ As part of their powers, the rapporteurs may make working visits to the states and participate in on site visits by the IACHR, with the consent or at the invitation of the respective government. At this time the IACHR has eight Thematic Rapporteurships:

- ◆ rights of indigenous peoples (1990);
- ◆ rights of women (1994);
- ◆ rights of migrants (1996);

¹ See Article 18(a) of the Statute of the IACHR.

² See Article 106 of the Charter of the Organization of American States (OAS) and Article 41 of the American Convention on Human Rights (ACHR).

³ See Article 41 of the ACHR and Article 18(d) of the Statute of the IACHR.

⁴ Article 41 of the ACHR; and Articles 58 and 59 of the Rules of Procedure of the IACHR.

- ◆ rights of the child (1998);
- ◆ rights of persons deprived of liberty (2004);
- ◆ rights of Afro-descendants and against racial discrimination (2005);
- ◆ rights of human rights defenders (2011); and
- ◆ rights of lesbian, gay, bisexual, trans and intersex persons (2014).

4. The IACHR also has the authority to establish Special Rapporteurships, entrusted to persons other than the Commissioners, who are designated by the Commission.⁵ There has been a Special Rapporteurship for Freedom of Expression⁶ since 1997; it is a permanent office, with its own operational structure and functional independence within the legal framework of the IACHR. On April 3, 2014, the IACHR also decided to create a Special Rapporteurship on Economic, Social and Cultural Rights, mindful of the interdependent and indivisible nature of human rights and the importance of protecting and promoting economic, social, and cultural rights in the region. By establishing this new Rapporteurship, which at present operates as a unit, the IACHR seeks to strengthen and deepen its work of defending and protecting the economic, social and cultural rights of the inhabitants of the Americas.

5. Among their functions, the Rapporteurships have taken advantage of their mandate to promote regional initiatives on priority issues in the region relevant to their areas of focus. These initiatives have been strengthened by participatory processes of compiling information, including the perspectives of the states and civil society, preparing regional reports on pressing issues and presenting these reports, organizing promotional activities to disseminate knowledge of the standards of the inter-American system, circulating questionnaires, preparing consultations with experts, organizing relevant thematic hearings and working visits, producing press releases, and using other mechanisms. In relation to individual cases, the Rapporteurships continue participating and providing specialized input in the processing of individual petitions alleging human rights violations received by the IACHR. They are also actively involved in analyzing requests for precautionary measures and accompanying hearings and friendly settlements.

6. The IACHR Thematic Rapporteurships employ continuous efforts to work in an articulated and strategic manner, taking into consideration the intersectionality of identities and risks that could accentuate human rights violations against various individuals, groups, and collectivities in the hemisphere. In this sense, the Rapporteurships have over the years identified issues of potential joint and cross-cutting collaboration, for example indigenous women, girls, and migrants deprived of liberty, among others.

7. Next the IACHR presents information on the thematic priorities and activities of each Rapporteurship in the course of 2016.

1. Rapporteurship on the Rights of Indigenous Peoples

8. Commissioner Francisco José Eguiguren Praeli is in charge of the Rapporteurship on the Rights of Indigenous Peoples.

9. In the course of 2016 the Rapporteurship has focused on implementing activities with a view to addressing the following challenges: (i) obstacles to respecting and fully ensuring the right of indigenous peoples to their territories and natural resources, in particular in the face of activities involving extraction, development, and investment in the region; (ii) challenges for compliance with all the dimensions of the right to prior, free and informed, and culturally appropriate consultation, to consent, and to effective participation in decisions relevant to indigenous peoples; (iii) obstacles that indigenous authorities and leaders face in defending their rights, such as threats, assassinations, and incidents of criminalization; (iv) the structural, widespread, and intersectional discrimination faced by indigenous peoples, including indigenous women; (v) institutional, cultural, linguistic, economic, and geographic barriers to accessing justice; and (vi) obstacles

⁵ Article 15(4) of the Rules of Procedure of the IACHR.

⁶ The activities of the Office of the Special Rapporteur for Freedom of Expression are discussed in the annex to this Annual Report.

that stand in the way of the economic, social, and cultural rights of indigenous peoples, such as their rights to water, to a healthy environment, to health, and others.

10. In 2016, the Rapporteurship on Indigenous Peoples disseminated the thematic report *Indigenous Peoples, Afro-Descendent Communities, and Natural Resources: Human Rights Protection in the Context of Extraction, Exploitation, and Development Activities* (hereinafter “Report on Extractive Industries”). The report addresses the human rights situation of indigenous peoples and Afrodescendent communities in the context of extraction, exploitation, and development. It offers an initial take on the general obligations of the states in this context and specifically for indigenous peoples and Afrodescendent communities, seeking to promote the consolidation of legal standards on the subject in the inter-American human rights system; give greater visibility to the human rights violations committed in this context; and identify key challenges that require attention from the IACHR. This report was prepared by published by the IACHR thanks to the support of the International Work Group for Indigenous Affairs (IWGIA); it was presented in Washington, DC, on Tuesday, April 5, 2016.

11. The Rapporteurship has also continued working on a regional report about the human rights situation of indigenous women, in a collaborative effort with the Rapporteurship on Women’s Rights. The report addresses a series of issues relevant to the exercise of the civil, political, economic, social, and cultural rights of indigenous women, and to their right to live free from violence and discrimination, among others. The preparation of this report has been possible thanks to support from Denmark.

12. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- Rapporteur and Commissioner Francisco Eguiguren participated in an international seminar in Lima, Peru, April 25-26, 2016 entitled “Free Trade Agreements, Bilateral Investment Treaties, Large-scale Investment Projects (Megaprojects), and Impacts on the Rights of Indigenous Peoples.” The seminar was organized by IWGIA and included the participation of Victoria Tauli-Corpus, the current United Nations Special Rapporteur on Indigenous Peoples; and representatives of indigenous peoples and civil society working to advance these rights in the Americas.
- Commissioner Eguiguren offered a presentation about the different dimensions of the rights of indigenous peoples in the Inter-American Seminar on Human Rights organized by the IACHR that took place on June 10, 2016, in Santiago, Chile, in the context of the special period of sessions the IACHR held in Chile.
- The Rapporteurship participated in the Nineteenth Meeting of Negotiations in the Quest for Consensus of the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous. These discussions led to the adoption of the text of the Declaration by the Working Group on May 19, 2016, as well as its adoption by the OAS General Assembly on June 15, 2016, thus marking a historic step in terms of the recognition, promotion, and protection of the rights of indigenous peoples in the region.
- On August 10, Commissioner and Rapporteur Eguiguren participated in the *Sixth International Seminar on the Rights of Indigenous Peoples*, organized by the Law School of the Pontificia Universidad Católica del Perú, the Instituto Internacional de Derecho y Sociedad, the Inter-American Institute of Human Rights, and the Inter-American Legal Anthropology Network, where he made a presentation on the situation of the rights of indigenous peoples in the region and presented the main conclusions on the IACHR’s report on extractive industries.
- Commissioner and Rapporteur Eguiguren offered a presentation on the challenges for the protection of the rights of indigenous peoples in the Fix-Zamudio course in Mexico on August 31, 2016. In addition, on September 29, 2016, the Rapporteur participated in the *First Colloquium on*

Inter-American Case-Law: Gains and Challenges in the area of Indigenous Peoples, organized by the Konrad Adenauer-Stiftung and the Institute of Democracy and Human Rights of the Pontificia Universidad Católica del Perú. At that event the Rapporteur presented the main conclusions of the report on extractive industries that had recently been published by the IACHR.

- The Rapporteur also presented the report on extractive industries on September 30, 2016, at the event *First National Days on Fundamental Rights*, organized by the Constitutional Law Area of the Law School of the Pontificia Universidad Católica del Perú and the legal journal *Revista Jurídica THEMIS*, with the sponsorship of the Konrad Adenauer-Stiftung.

2. Rapporteurship on Women's Rights

13. The Rapporteurship on Women's Rights is entrusted to Commissioner Margarete May Macaulay.

14. The Rapporteurship on Women's Rights has continued working to address the principal challenges that continue to keep women from being able to fully exercise their rights in the region. The activities of the Rapporteurship are focused mainly on (i) the prevalence of forms of extreme violence against women in the region, including physical, psychological, sexual, economic, spiritual, obstetric, institutional, and other forms of violence; (ii) the failure of the states to act with due diligence, including prevention, investigation, punishment, and reparation for violations of human rights that affect women, as well as the guarantee of access to justice without delay and access to information held by the state that is crucial for the exercise of their human rights; (iii) the multiple forms of discrimination that affect women, which gives rise to a situation of accentuated vulnerability for indigenous and Afrodescendent women, women with disabilities, women living with HIV/AIDS, girls, lesbians, and trans women, among others; (iv) challenges in the protection and exercise of women's sexual and reproductive rights; (v) the triple risk that women human rights defenders suffer due to their work as leaders, the cases they pursue, and their sex and gender; and (vi) obstacles to the exercise of women's economic, social, and cultural rights in areas such as health, education, work, and their access to and control of economic resources.

15. The team that works to support the Rapporteurship on Women's Rights continued working, during this period, to produce a thematic report on the human rights of indigenous women in the Americas, in conjunction with the Rapporteurship on the Rights of Indigenous Peoples, thanks to support from Denmark. The report addresses a series of issues relevant to the exercise of indigenous women's civil, political, economic, social, and cultural rights, and their right to live free from violence and discrimination, among others. On April 5, 2016 the report *Legal Standards related to Gender Equality and Women's Rights in the Inter-American Human Rights System: Development and Application, Update 2011-2014*, was presented in Washington, DC. This report summarizes and analyzes the legal standards of the inter-American system on gender and women's rights, as well as the impact of the recommendations and decisions of the inter-American system on court judgments handed down domestically in the region.

16. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- On March 7, 2016, the Secretary General of the OAS launched the Institutional Policy on Gender Equality, Diversity, and Human Rights of the OAS, drawn up by the Inter-American Commission of Women. The team that supports the Rapporteurship on Women's Rights offered technical comments on a draft of that policy from the standpoint of human rights and the international standards related to women's rights and gender equality.
- On March 8, 2016, the team that supports the Rapporteurship participated in a technical roundtable discussion organized by the Inter-American Commission of Women entitled "Breaking Barriers to Access to Justice: Eradicating Violence against Women in the Americas," organized in commemoration of International Women's Day in Washington, DC.

- The team that supports the Rapporteurship participated in a technical event organized by IPAS in New York on the sexual and reproductive rights of women on March 17, 2016 on occasion of the United Nations Commission on the Status of Women.
- The team that supports the Rapporteurship also participated on June 1, 2016, in a seminar in Costa Rica on the problem of obstetric violence, organized by the Ibero-American Federation of Ombudspersons (FIO: Federación Iberoamericana de Ombudsman), the Network of Ombudspersons for Women's Rights (Red de Defensorías de Mujeres) of the FIO, the Office of the Ombudsperson for Human Rights of Costa Rica, UNFPA, CEJIL, and the GIZ.
- On June 10, 2016, Commissioner Macaulay offered a presentation on the rights of women and Afrodescendent persons at the Inter-American Seminar on Human Rights in Santiago, Chile. This activity was organized in the context of the sessions of the IACHR. On July 19, 2016, the team that supports the Rapporteurship on Women's Rights participated at a session in New York of the United Nations Working Group on Discrimination against Women on the work of the inter-American system on issues of women's rights.
- On August 26, 2016, the Commissioner and Rapporteur offered a seminar on gender perspective in the case-law of the inter-American human rights system, in the context of the Fix-Zamudio course in Mexico.
- The Rapporteur made a promotional visit to Brazil from September 27 to October 1 to study up close the human rights situation of Afrodescendent women. During her visit the Rapporteur participated in several open meetings with Afrodescendent women and the organizations that represent them in the cities of Rio de Janeiro, Salvador, and Sao Paulo. During these activities the Rapporteur received information on challenges and gains in the protection of the rights of Afrodescendent women in Brazil, and shared information on the work of the IACHR in this area. This visit was possible thanks to the support of the Institute on Race, Equality and Human Rights and the Articulação de Organizações de Mulheres Negras Brasileiras.
- The team of the Rapporteurship participated on Friday, September 30, in a seminar organized by CLADEM in La Paz, Bolivia, on child pregnancy and sexual violence against women.
- From November 2 to 4, 2016, the Rapporteur made an academic visit to Buenos Aires, Argentina, at the invitation of Santiago A. Canton, Secretary for Human Rights of the government of the Province of Buenos Aires. During this trip the Rapporteur held meetings with several government authorities working on policies related to gender and women's rights, and involved in designing a provincial plan on gender. The Rapporteur also offered a presentation on inter-American standards related to women's rights.

3. Rapporteurship on the Rights of Migrants

17. Commissioner Enrique Gil Botero is in charge of the Rapporteurship.
18. The Rapporteurship has identified a series of persistent challenges in the region and seeks to continue working mainly on addressing the following issues: (i) the prevalence of forms of violence and discrimination against migrants, internally displaced persons, refugees, and other persons in situations of vulnerability in the context of human mobility; (ii) the existence of laws, administrative practices, and judicial decisions that disproportionately affect the ability of persons or populations of a given nationality to enjoy their human rights; (iii) the excessive use of immigration detention; (iv) barriers to access to justice; and, (v) obstacles to the exercise of economic, social, and cultural rights by persons in situations of vulnerability in the context of human mobility.

19. On November 4, 2016, the Rapporteurship released the thematic report *Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American Human Rights System*. The report analyzes the main dynamics and causes of migration in the hemisphere. It identifies as principal factors that promote migration in the region the growing socioeconomic disparities, in particular in terms of inequality, poverty, and unmet basic needs; the impact of armed conflicts and criminal violence in some countries; the deterioration of the economic, social, and political situation in certain countries; the needs for family reunification; the impact of the actions of national and transnational companies; and climate change and natural disasters. The main objective of the report is to present the legal standards developed by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, in keeping with the obligations arising from the inter-American instruments, in particular those stemming from the American Convention on Human Rights, the American Declaration of the Rights and Duties of Man, and other relevant inter-American and international instruments in relation to the scope and content of the human rights of migrants, asylum-seekers, refugees, persons in need of supplemental protection, stateless persons, victims of human trafficking, and internally displaced persons. The publication and dissemination of this report was possible thanks to the support of the Central America and Mexico Migration Alliance (CAMMINA), the Office of the United Nations High Commissioner for Refugees (UNHCR), and the Government of Spain. The report was presented at the headquarters of the IACHR in Washington, DC on December 9, 2016.

20. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- On February 3, 2016, the Executive Secretariat made a presentation by Skype on “The limits of sovereignty: Human mobility and the protection of human rights in the inter-American system,” in the context of the colloquium “The limits of state sovereignty, human mobility, and human rights.” This event was held in Quito, Ecuador, and was organized by the Research Group on International Migrations and Globalization of the Department of Sociology and Gender Studies of FLACSO Ecuador and Asylum Access Ecuador.
- On February 26, 2016, the team that supports the Rapporteurship participated in a working meeting organized by the International Migrants Bill of Rights Project (IMBR) of the Georgetown University Law Center in Washington, DC, United States. In the context of this working meeting the team that supports the Rapporteurship made a presentation on its mandate and functions and the human rights challenges faced by persons in the context of human mobility in the Americas.
- On February 26, 2016, the team that supports the Rapporteurship held a working meeting with Azizbek Ashurov, director of the organization *Lawyers without Borders* based in Kyrgyzstan, which provides legal counsel to stateless persons in the Eurasian region. This meeting also included the participation of members of the American Network on Nationality and Statelessness and the Center for Justice and International Law (CEJIL). The objective of this meeting was to share information on the work of the IACHR and its Rapporteurship on the Rights of Migrants in relation to the situations of statelessness in the Americas, as well as on the actions being taken in the Eurasian region to establish a regional network that works to protect the right to nationality and to eradicate statelessness in the Eurasian countries.
- On March 7, 2016, the team that supports the Rapporteurship participated in the course on International Refugee Law organized by the Department of Juridical and Political Affairs of the OAS, which included the participation of representatives of various member states and representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR) and regional organizations involved in protecting the rights of refugees.
- On March 9, 2016, the team that supports the Rapporteurship made a presentation on the mandate of the Rapporteurship on the Rights of Migrants and the standards developed by the inter-American system in relation to the prohibition on detention of migrant children in the

- context of the first quarterly working session of the Inter-Agency Working Group to End Child Migration (IAWG). This working session included the participation of representatives of several agencies and mechanisms for the protection of human rights of the United Nations and the Council of Europe, and of civil society organizations from the Americas, Asia, and Europe.
- On April 20, 2016, the team that supports the Rapporteurship on Migrants made a presentation on the right to nationality and statelessness of persons of Haitian descent in the context of the Third Public Session of the Permanent Seminar for Analysis of Decisions in the Inter-American System, entitled *Nationality and Human Rights: A Category that Limits Rights?* This event was organized by the Observatory of the Inter-American Human Rights System of the Legal Research Institute at the Universidad Autónoma de México (UNAM).
 - On May 19, 2016, the team that supports the Rapporteurship on Migrants made a presentation on the main obstacles that migrants face in respect of access to justice in the Americas in the context of the webinar *Innovative judicial systems: How to ensure access to justice for migrants?*, organized by the Central America and Mexico Migration Alliance (CAMMINA), Sin Fronteras IAP, and the Avina Foundation.
 - The team that supports the Rapporteurship participated in the Meeting on the Protection of Human Rights of Migrants in Large Movements, organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Platform for International Cooperation on Undocumented Migrants (PICUM), in collaboration with the United Nations Special Rapporteur on the Human Rights of Migrants. This meeting was held June 1, 2016, in Geneva, Switzerland.
 - On June 2, 2016, the team that supports the Rapporteurship made a presentation on the *Protection of the Principle of Non-Refoulement in the Inter-American Human Rights System* in the context of the Meeting of Experts on the Principle of Non-Refoulement in International Human Rights Law, organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Global Migration Centre of the Graduate Institute of International and Development Studies. This meeting was held at the Palais Wilson in Geneva, Switzerland.
 - In the context of the international conference “Migration policy in the Mesoamerican region,” Commissioner Enrique Gil Botero made a presentation on *Agendas pending on the human rights of migrants in the region*, on July 5, 2016, in Guatemala City. This event was organized by the Centro de Investigación y Docencia Económicas (CIDE), Universidad Rafael Landívar, Universidad San Carlos de Guatemala, Facultad Latinoamericana de Ciencias Sociales (FLACSO), the Instituto Centroamericano de Estudios Sociales y Desarrollo (INCEDES), and the Mesa Regional de Migraciones en Guatemala (MENAMIG).
 - Commissioner Enrique Gil Botero, Rapporteur on the Rights of Migrants, represented the IACHR at the High-level Roundtable Discussion *Call to Action: Crisis of Protection in the Northern Triangle of Central America*, organized by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Organization of American States (OAS) on July 6 and 7, 2016, in San José, Costa Rica. This event brought together government representatives from all the countries of North America and Central America, as well as other interested states, intergovernmental agencies, civil society organizations, humanitarian actors, and the academic sector. As a result of this process, the actors involved signed the Declaration of Action of San José, in which they analyze and make commitments in relation to the growing phenomenon of mixed migratory movements, including the forced displacement of those fleeing violence and exploitation by organized crime groups in the Northern Triangle of Central America.
 - On August 12, 2016, Commissioner Enrique Gil Botero gave a speech during the *Second Regional Forum on the Judiciary and the Human Rights of Migrants and Other Persons Subject to International Protection*, which was organized by the Supreme Court of Mexico, the Inter-

American Commission on Human Rights (IACHR), Sin Fronteras I.A.P, the Office of the United Nations High Commissioner for Refugees (UNHCR), and the Asociación Mexicana de Impartidores de Justicia (AMIJ), in Mexico City, Mexico.

- The team that supports the Rapporteurship participated as part of the jury and in the award ceremony for the *Prize for the Best Judgments on Access to Justice for Migrants and Other Persons Subject to International Protection*, which was organized by the Supreme Court of Mexico, the Inter-American Commission on Human Rights (IACHR) Sin Fronteras I.A.P, the Office of the United Nations High Commissioner for Refugees (UNHCR), and the la Asociación Mexicana de Impartidores de Justicia (AMIJ), on August 12, 2016 in Mexico City, Mexico.
- On August 12, 2016, Commissioner Enrique Gil Botero and the team that supports the Rapporteurship held a working meeting with many civil society organizations and academic institutions that work to promote the human rights of migrants, refugees, and internally displaced persons in Mexico and Central America, in Mexico City, Mexico.
- At the workshop “Strengthening human and institutional capacities in migration control at borders, human rights, and identification of victims of crimes related to irregular migration,” the team that supports the Rapporteurship made a presentation entitled *The Human Rights of Migrants and Border Control* on August 23, 2016, in Antigua, Guatemala. This workshop was organized by the Organization of American States (OAS) in coordination with the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR). The workshop was aimed at training migration officials from Costa Rica, the Dominican Republic, El Salvador, Honduras, Guatemala, Mexico, Nicaragua, and Panama.
- The Rapporteurship made two presentations in the context of the “Héctor Fix-Zamudio” Diplomat Training in the Inter-American Human Rights System, which was organized by the Legal Research Institute of the Universidad Nacional Autónoma de México (UNAM). On August 29, 2016, the team that supports the Rapporteurship made a presentation on *Forced internal displacement and human rights: International and regional provisions and standards*. Subsequently, on August 31, 2016, Commissioner Enrique Gil Botero made a presentation on *Due process and the rights of migrants*.
- The Rapporteurship on the Rights of Migrants co-convened the workshop on the *Implementation of the Guiding Principles on Internal Displacement in the National Law – comparative experiences in the Americas*, which was held from August 30 to September 1 in Panama City, Panama. The workshop included participants from government institutions and legislative bodies, civil society organizations, and academic institutions from five countries of the Americas: Colombia, El Salvador, Guatemala, Honduras, and Mexico. The workshop was organized by the Office of the United Nations High Commissioner for Refugees (UNHCR), the Internal Displacement Monitoring Centre (IDMC), the Norwegian Refugee Council (NRC), the Global Protection Cluster, the Central American Integration System (SICA), and the Inter-American Commission on Human Rights (IACHR).
- Commissioner Enrique Gil Botero and the team that supports the Rapporteurship participated at the United Nations Summit for Refugees and Migrants, held at United Nations headquarters in New York, United States, on September 19, 2016.
- The team that supports the Rapporteurship on Migrants participated in the Fifth Regional Course on Statelessness organized by the UNHCR and held September 22 to 24 in Port-of-Spain, Trinidad and Tobago. During the course the team that supports the Rapporteurship made two presentations. The first was focused on the scope and content of the right to nationality and the prohibition of statelessness in the inter-American human rights system, and the second on *Arbitrary deprivation of nationality in light of the provisions and standards of the inter-American*

- system*. The course had more than 80 participants, a large number of whom were state officials from countries from throughout the Americas including the Caribbean.
- On October 13 and 14, 2016 the event *High-level Roundtable Discussion: Latin American response to the global refugee crisis: From commitments to results* was held in Bogotá, Colombia. During that event Commissioner Enrique Gil Botero made a presentation entitled *Quality asylum: Inter-American standards for the procedure for determining refugee status*. In addition, the attorney who supports the Rapporteurship made a presentation entitled *Access to justice and the right to judicial protection in cases of migrants and refugees*. This event included the participation of state officials, civil society organizations, and academic institutions, and was organized by Asylum Access Latin America (AALA) and Diálogos y Estrategias, with support from Stanford University, the Organization of American States (OAS), the Union of South American Nations (UNASUR), the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the Inter-American Commission on Human Rights (IACHR), the Institute of Public Policy on Human Rights of Mercosur (IPPDH-Mercosur), and the Regional Working Group of the Brazil Action Plan (GAR-PAB).
 - The team that supports the Rapporteurship made a presentation entitled *The crisis of forced migration in the American continent: International displacement and refuge* in the context of the “Third Forum on Human Rights: Migrants, refugees, and victims of human trafficking,” held October 20, 2016 in Barranquilla, Colombia. The forum was organized by the Caribbean Human Rights Center and the Migrant Law Clinic at the Public Interest Litigation Group of the Universidad del Norte.
 - In the context of the Second International Observatory of Human Rights, Commissioner Enrique Gil Botero made a presentation entitled “*Crises and Migrations*,” on October 28, 2016, at the University of Siena, Italy. This event was organized by the Inter-American Human Rights Academy of the Universidad Autónoma de Coahuila, in coordination with the University of Siena, the “Bartolomé de las Casas” Human Rights Institute of the Universidad Carlos III of Madrid, and the Fundación Gregorio Peces-Barba para el Estudio y Cooperación en Derechos Humanos.
 - The team that supports the Rapporteurship participated in the Forum of judges and lawyers on large-scale movements of refugees and migrants November 17 and 18, 2016, in Geneva, Switzerland. This event was organized by the International Commission of Jurists (ICJ) and included the participation of judges and judicial officers from several parts of the world who handle cases on migrants and refugees. From the Americas, the event included the participation of judges and experts from Argentina, Brazil, Costa Rica, Mexico, and the United States.
 - On November 24 and 25, 2016, the team that supports the Rapporteurship participated in the workshop on Legal Framework for Attending to the Displaced Population in Honduras – “Proposed Law for Attending to the Internally Displaced Population of Honduras,” held in Tegucigalpa, Honduras. This event was organized by the Inter-institutional Commission for the Protection of Persons Displaced by Violence in Honduras (CIPPDV), the National Legal Commission of the Secretariat for Human Rights, Justice, Interior, and Decentralization, the Office of the United Nations High Commissioner for Refugees (UNHCR), and the Norwegian Refugee Council (NRC), and included the participation of several state institutions and civil society organizations. The purpose of the event was to contribute to the process of drawing up a law to prevent internal displacement and provide assistance and protection to those persons who are internally displaced in Honduras.
 - In the context of the Specialization in Migration and Human Rights from a Human Rights perspective, of the Universidad Nacional de Lanús (UNLa), the team that supports the Rapporteurship made a presentation via teleconference on the principal standards developed by the organs of the inter-American human rights system for protecting the human rights of migrants, asylum-seekers, refugees, and victims of human trafficking, on December 1, 2016. This

event was organized in Buenos Aires, Argentina, by the Universidad Nacional de Lanús (UNLa), the Centro de Estudios Legales y Sociales (CELS), and the Office of the United Nations High Commissioner for Refugees (UNHCR).

- Rapporteur Enrique Gil Botero and the team that supports the Rapporteurship participated in the Regional Workshop on the Rights of Migrants in the Americas, organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on December 6 and 7, 2016 in Panama City, Panama.
- On December 17, 2016, the team that supports the Rapporteurship made a presentation by Skype on “Principal human rights challenges for persons in the context of human mobility in the Americas and the standards developed by the inter-American human rights system for their protection,” in the context of the master’s in international human rights law program at the Universidad Diego Portales of Chile.

4. Rapporteurship on the Rights of the Child

21. Commissioner Esmeralda Arosemena de Troitiño is in charge of the Rapporteurship on the Rights of the Child.

22. The Rapporteurship has pursued its activities bearing in mind the particular needs and situation of special vulnerability of certain groups of children and adolescents, and has focused especially on bringing to light the various forms of violence of which they are victims and the phenomena in the region that have the greatest impact on the effective observance of their rights. The Rapporteurship has given special attention to: (i) the situation of violence and discrimination that affects children and adolescents, especially in contexts of violence, insecurity, and activities of criminal groups as well as the impacts on them of citizen security policies; (ii) juvenile justice, in particular the trends to lower the age of criminal liability for adolescents and extend prison terms, the excessive use of pretrial detention, failure to attain the objective of socio-educational reintegration of adolescents at odds with the criminal law, the precarious conditions of deprivation of liberty, and violence in prisons; (iii) the very high prevalence of sexual violence, especially against girls and adolescent females in the region, the levels of impunity for these crimes, and the lack of adequate comprehensive services; (iv) the challenges faced by the National Systems for Integral Guarantees of the Rights of Children and Adolescents for ensuring the rights of all children and adolescents, preventing the violation of their rights, and ensuring an adequate response; (v) children and adolescents in special situations of vulnerability, such as migrants, persons with disabilities, indigenous persons, LGBTI persons, the children of persons deprived of liberty, and children without adequate and institutionalized parental controls; and (vi) obstacles to the exercise of the economic, social, and cultural rights of children and adolescents, in areas such as health, education, adequate housing, and food and nutrition.

23. The Rapporteurship on the Rights of the Child devoted a major part of its efforts in 2016 to preparing a thematic report on the workings of the *National Systems of Integral Guarantees for the Rights of Children and Adolescents* in the countries of the region, understood as operational models and organizational designs for making effective and guaranteeing the rights of children and adolescents, and to protect them in the face of violence. The report analyzes the main challenges faced by these systems and the institutions put in place for the promotion, protection, and defense of children’s rights; identifies the principles and applicable standards; and makes a series of specific recommendations in this regard. In the context of preparing this regional report the IACHR, at its own initiative, convened a thematic hearing during its 157th regular period of sessions; organized a working meeting with civil society organizations and experts; published a questionnaire on the matter for the states and civil society organizations; and made a working visit to Mexico, as detailed below in the description of the activities undertaken by the Rapporteurship. The drawing up of that report is possible thanks to the cooperation agreement the IACHR has entered into with the nongovernmental organization World Vision.

24. The Rapporteurship has also focused part of its efforts on developing a series of activities for disseminating the thematic report *Violence, Children and Organized Crime*. In that context, the report was

presented by the IACHR at an event in Washington, DC, coinciding with the 157th regular period of sessions of the IACHR, and presentations of the report were made in Guatemala, Panama, and Peru. A micro-site was also launched at the website of the IACHR with the main contents and key recommendations of the report in a version that is easy to access for various audiences. The report addresses the impacts that organized crime, *maras*, and violent youth gangs have on the rights of children and adolescents in the region; it highlights the way in which children and adolescents are used, exploited, manipulated, and coerced by these organizations; it identifies the main responses of the states to violence and organized crime in terms of preventing and reducing violence and crime, as well as control and enforcement; the actions for preventing adolescents from becoming involved in these groups, as well as the programs to get them to leave the groups and to protect victims; and it identifies problematic aspects of some of the current responses of the states and makes recommendations with a view to the adoption of public policies in the area of citizen security with an emphasis on children's rights. In preparing that report and in the dissemination activities the Rapporteurship has had support from the nongovernmental organization Plan International.

25. The Rapporteurship has also made progress in the process of reviewing a draft report on the situation of adolescents in the adult prison system in the United States. In addition, the Rapporteurship, in collaboration with the Office of the Special Rapporteur for Freedom of Expression, has provide technical input in the process of drafting a regional thematic report on the rights of children and the media, through the drafting and publication of a questionnaire directed to the states and civil society organizations, in addition to maintaining contacts with actors relevant for collecting information of interest for the report. In addition, the staff of the Rapporteurship has continued to provide support for the processing of petitioners, cases, and precautionary measures.

26. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- On March 9, 2016 the Rapporteur for Children's Rights met with the member organizations of the Global Movement for Children-Latin American and Caribbean Chapter (MMILAC) with the objective of analyzing the regional context of the protection of children's rights, presenting the main priorities of the Rapporteurship's work, and continuing to strengthen the mechanisms for coordinating and cooperating with this Movement.
- On April 5, 2016, in the context of the 157th regular period of sessions of the IACHR, the IACHR's report *Violence, Children and Organized Crime* was launched in the city of Washington DC. Present at the event were representatives of several permanent missions of states to the OAS, members of civil society organizations, and a delegation from the organization Plan International, headed up by its Regional Director for Latin America and the Caribbean, Ms. Corina Villacorta, who addressed the event on the relevance of the report's recommendations in the context of the violence and insecurity experienced in several countries of the region. This organization made a commitment to the IACHR to support efforts to disseminate the report through activities to present it in the countries.
- In addition, in the context of its 157th period of sessions in the city of Washington, DC, the IACHR, at its own initiative, convened a thematic hearing on April 7, 2016, on the National Systems for the Protection of Children, as well as a working meeting with representatives of national and regional civil society organizations to collect information on the issue for the process of drawing up its report.
- On May 19 and 20, 2016, the Rapporteurship on Children's Rights participated in the "International seminar on supervision and monitoring of conditions of deprivation of liberty of children and adolescents at odds with the criminal law," held in Buenos Aires, Argentina. The seminar was organized by UNICEF and by the Office of the UN Special Representative of the Secretary General on Violence against Children. In the context of the seminar the Rapporteur presented the main standards of the inter-American system on the subject, and participated in

- the discussions on the progress needed in this area to achieve better protection for the rights of adolescents deprived of liberty, in addition to the need to give impetus to the effective implementation of the models of restorative justice in the countries of the region. This seminar included the participation of approximately 75 experts on the subject. The contents and conclusions of this international seminar will be used to inform the process of drawing up a global report that the United Nations is preparing on the situation of children and adolescents deprived of liberty worldwide.
- On May 27, 2016, the IACHR's report, *Violence, Children and Organized Crime* was presented in Guatemala City, Guatemala. The event was organized jointly by the IACHR and the nongovernmental organization Plan International. Commissioner Esmeralda Arosemena de Troitiño presented the report's main findings, as well as the recommendations issued by the IACHR, and a group of prominent panelists discussed the contents of the report and debated its importance in the Guatemalan context. The panelists who analyzed the report were: Ingrid Kuhfeldt, Deputy Regional Director of Plan International for the Americas; Débora Cobar, Director of Plan International Guatemala; Hilda Morales Trujillo, Deputy Human Rights Ombudsperson; Leonel Dubón, Director of the NGO Refugio de la Niñez; Verónica Simán, Resident Coordinator of the United Nations system; Iván Velásquez, Commissioner of the International Commission against Impunity in Guatemala; Axel Romero, Vice-Minister for Prevention of the Ministry of Interior; and Marcos Galicia, a young human rights activist. This event was well-attended by public authorities and leaders of community organizations, in addition to attaining extensive media coverage in the country, and in media outlets in the region.
 - On June 10, 2016, the Rapporteur offered a presentation on the rights of the child at the Inter-American Seminar on Human Rights organized by the IACHR in Santiago, Chile, in the context of its 158th special period of sessions.
 - On June 29, the report of the IACHR *Violence, Children and Organized Crime*, was presented in Panama City, Panama. The event was organized jointly by the IACHR and the nongovernmental organization Plan International. Commissioner Arosemena de Troitiño presented the main findings of the report, as well as the recommendations made by the IACHR, and a group of prominent panelists discussed the contents of the report and discussed its importance in the Guatemalan context. The panelists who analyzed the report were: Ingrid Kuhfeldt, Deputy Regional Director of Plan International for the Americas; Silvia Mazzarelli, Regional Head of Child Rights Policy and Programming, Plan International; Esmeralda Arosemena de Troitiño, Commissioner and Rapporteur for Children's Rights of the Inter-American Commission on Human Rights (IACHR); Marita Perceval, Regional Director for Latin America and the Caribbean, UNICEF; María Luisa Romero, Vice-Minister of Interior of the Republic of Panama; Belinda Portillo, Director, Plan International Honduras; José Ovalle, Coordinator, National Network for the Protection of Children and Adolescents in Panama; and Alfredo Castellero Hoyos, Human Rights Ombudsperson, Panama. The event received extensive media coverage in Panama, and the Rapporteur gave interviews to publicize the recommendations made in the report.
 - The Inter-American Children's Institute of the OAS and the National Council for Children and Adolescents of El Salvador convened the seminar "Preventing violence against children and adolescents: *maras*, gangs, and other forms of violence," held July 26 and 27, 2016 in the city of San Salvador, El Salvador, which included the participation of the states of Costa Rica, El Salvador, Guatemala, and Mexico. At the seminar participants analyzed the main recommendations contained in the IACHR report *Violence, Children and Organized Crime* (2015), and specific aspects were identified to give impetus to the recommendations in the countries. This activity was carried out in the context of the cooperation agreement between the IACHR and the IIN to disseminate the IACHR's report *Violence, Children and Organized Crime*, and to promote implementation of the recommendations contained in that report.

- On August 17 and 18 the Rapporteur participated in Panama in the meeting of the Global Movement for Children – Latin American and Caribbean Chapter (MMI-LAC), a coalition that brings together the leading national and international organizations that work to promote and defend children's rights in the hemisphere, and UNICEF. In her remarks the Rapporteur analyzed the situation and identified the main challenges and trends of concern that are observed in relation to the effective observance of the rights of the child in the region. The Rapporteur also presented the priorities of the Rapporteurship, taking stock of the main activities from 2012 to 2016 in the context of its mandate, and strategic aspects for strengthening the Rapporteurship.
- On August 30 the Rapporteur gave a lecture in the context of the “Héctor Fix-Zamudio” Diplomate program on the Inter-American Human Rights System, organized by the Legal Research Institute of the Universidad Nacional Autónoma de México, in Mexico City. The Rapporteur made a presentation under the heading “Towards the end of the institutionalization of children and adolescents,” focused on the relevant standards established by the IACHR in its report *The Right of Boys and Girls to a Family. Alternative Care. Ending Institutionalization in the Americas* (2013).
- On October 11 the Rapporteur held a conference in the context of the seminar “Latin American Thought on the Rights of Children and Adolescents” at the Universidad Peruana Cayetano Heredia” in Lima, Peru. The presentation was focused on analyzing the main contents and recommendations set out in the IACHR’s report *Violence, Children and Organized Crime* (2015).
- On October 12 and 13 the Rapporteurship was invited to participate in several promotional activities in the context of the General Assembly of the Latin American and Caribbean Network for Children (REDLAMYC). The Rapporteur presented key ideas about the challenges children face in the region, as well as the mandate of the Rapporteurship and how civil society organizations can access the inter-American human rights system.
- On October 26 the Rapporteurship participated in the regional event “Children and adolescents with significant adults deprived of liberty: A challenge from a human rights perspective for Latin America and the Caribbean,” convened by the Ministry of Social Development of Chile and the Regional Platform for the Defense of the Rights of Children with Incarcerated Parents (NNAPES). Participating in this event provided a strategic opportunity for following up on the information presented during the regional thematic hearing on *Situation of the children of persons deprived of liberty in the Americas* held in the context of the 156th regular period of sessions of the IACHR, October 22, 2015, and discussing gains, good practices, and persistent challenges. Holding the hearing has increased the visibility of the issue and the understanding of its scope and impacts on the rights of children, in addition to generating growing interest in sharing good practices among the states.
- On October 27 and 28 the Rapporteur participated in the 91st Regular Meeting of the Directing Council of the Inter-American Children’s Institute of the OAS in the city of Santiago, Chile. During the regular meeting of the Directing Council the Rapporteur presented the standards of the inter-American system on the institutionalization of children contained in the report *The Right of Boys and Girls to a Family. Alternative Care. Ending Institutionalization in the Americas* (2013), the problems identified by the IACHR in this area, and the recommendations issued. This participation also entailed an opportunity to present the priorities of the Rapporteurship on Children’s Rights and to identify spaces and mechanisms for strengthening cooperation between both organs of the OAS with a mandate as regards protecting the rights of the child.
- From November 14 to 18 the Rapporteurship made a working visit to Mexico to learn first-hand of the process of installation and functioning of the new National System for the Integral Protection of Children and Adolescents, and to collect information for its regional thematic

report. The visit took place in Mexico City and in Ecatepec, in the state of México, and in Pachuca and Acatlán in the state of Hidalgo. In the context of that visit the Rapporteur and her team met with the director general of the DIF (National System for Integral Family Development); the executive secretary and governing body of the Executive Secretariat of the National System for Integral Protection of Children and Adolescents; the Commission on Children of the Chamber of Deputies and Senate; governmental authorities of the state at its various levels, i.e. federal, state, and local; judges and experts in the juvenile justice system; officials from the system for the protection of children at the local level, and from the offices of the prosecutors for protection of the rights of children and adolescents); the National Human Rights Commission; UNICEF; civil society organizations; and organizations of children and adolescents. The IACHR would like to express its gratitude to the State for its valuable cooperation and facilities offered to make this visit possible.

5. Rapporteurship on Human Rights Defenders

27. Commissioner José de Jesús Orozco Henríquez is in charge of the Rapporteurship on Human Rights Defenders.

28. In the course of 2016 the Rapporteurship has continued implementing activities to give attention to the following issues in the region: (i) the improper use of the criminal law to criminalize human rights defenders; (ii) the prevalence of forms of violence against human rights defenders in the region, with a large number of attacks, threats, and assassinations, as well as the failure to investigate, prosecute, and punish such incidents, and the criminalization of the defense of human rights; (iii) the lack of policies, measures, and mechanisms that are sufficient and adequate for structurally addressing the situation of risk in which human rights defenders find themselves; (iv) the situation of threats against and assassinations of judicial officers in the region; (v) restrictions of freedom of association and assembly; (vi) the situation of special vulnerability and risk faced by defenders of the environment, indigenous peoples, the LGBTI population, and women; and (vii) the lack of guarantees for the independence of judicial officers.

29. In 2016 the IACHR published a report on *Criminalization of the Work of Human Rights Defenders*, given the intensification and persistence of this serious human rights problem in the hemisphere. The report analyzes the ways in which the criminal law is applied against human rights defenders in retaliation for their work of defending and promoting human rights, and includes recommendations for the states as to how to prevent and respond to this serious human rights problem. The report also conceptualizes the problem of criminalization identifying contexts in which one observes the improper use of the criminal law as well as the actors involved in this process, as well as the main forms of criminalization and their sequelae. The report in turn includes recommendations that may serve as a guide for the states for addressing this serious problem, including the need to recognize, promote, and educate society about the importance of their role; the need to adopt laws and policies in sync with the principle of legality; and the importance of using reasonable means for preventing the improper use of precautionary measures such as pretrial detention, among other strategies. The Commission is grateful for the support of Open Society Foundations and the Trust for the Americas for the translation, publication, and dissemination of that report. This report was submitted in Washington, DC on April 9, 2016, at a panel discussion including the participation of Rapporteur Orozco; Michel Forst, United Nations Rapporteur for Human Rights Defenders; Dubravka Šimonović, United Nations Rapporteur on Violence against Women, its Causes and Consequences; and Luz Marina Monzón, an expert on the situation of human rights defenders in the Americas and particularly in Colombia. The report was also presented in other countries, including: Tegucigalpa, Honduras, June 2 and 3, 2016; Bogotá, Colombia, June 22 and 23, 2016; and Asunción, Paraguay, July 18 and 19, 2016. The Commission is grateful to the governments of Honduras, Colombia, and Paraguay for their efforts facilitating the respective visits for disseminating the report.

30. In this regard, the Rapporteurship also worked this year, with the support of Finland, on a report on the measures, policies, and mechanisms adopted in several countries of the region to provide integral protection to human rights defenders. The report includes a detailed analysis of the progress and challenges, and guidance for improving the response going forward. In addition, it discusses important

standards and guidelines for designing and implementing global policies for protection, and identifies good practices and obstacles in relation to the specialized protection programs that exist in the hemisphere. As part of this initiative the IACHR requested, at its own initiative, that a hearing be held focused on the *national systems of protection for human rights defenders and judicial officers in the Americas*; it was held April 8, in the context of the 157th period of sessions of the IACHR. On April 1, 2016, a consultation was also held of experts to get specialized input on standards of international law and comparative law applicable to the creation and implementation of the national mechanisms for the protection of human rights defenders and judicial officers, and issues of concern. Subsequently, the Rapporteurship drew up a questionnaire on national mechanisms of protection for human rights defenders, which was circulated to all the member states of the OAS and non-state actors.

31. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- On February 18, 2016, the Rapporteurship participated in the *Fourth Course on Specialization in the Inter-American Human Rights System*, which was held at the Institute of Democracy and Human Rights of the Pontificia Universidad Católica del Perú. At that event Rapporteur Orozco presented information on the mandate of the Rapporteurship as well as the activities under way on the part of the IACHR and the Rapporteurship to uphold the human rights of human rights defenders throughout the region.
- On February 25 and 26, 2016, Rapporteur Orozco also participated in the Sixth Inter-Mechanisms Meeting in Strasbourg, France. The purpose of this meeting was to provide a space for in-depth analysis of emerging issues in the protection of human rights defenders, facilitating the sharing of experiences and lessons learned as to how to respond to these challenges. The meeting offered an opportunity to identify ways of increasing coordination and cooperation among inter-governmental organizations and other mechanisms that have different mandates, activities, and methods of work. The emerging issue of the meeting was protection for those human rights defenders who face an ever more hostile and restricted environment. This meeting was organized by the Commissioner for Human Rights of the Council of Europe and the Observatory for the Protection of Human Rights Defenders and included the participation of mandate holders or their representatives from the United Nations and regional human rights mechanisms, as well as representatives of some international organizations that are directly involved in protecting human rights defenders and/or that provide support to such mechanisms.
- On June 10 2016, Commissioner Orozco participated as a presenter at the Inter-American Seminar on Human Rights organized by the IACHR in Santiago, Chile, in the context of its 158th special period of sessions.
- The Legal Research Institute of the Universidad Nacional Autónoma de México, with the cooperation of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, convened academics, students, members of civil society organizations, and public servants to the “Héctor Fix-Zamudio” Diplomate in the Inter-American Human Rights System, 2016 edition, held August 22 to September 2, in Mexico City. The annual Diplomate program is aimed at offering the students high-level specialized academic training in the inter-American human rights system by giving classes and lectures by the most outstanding experts on the subject in the hemisphere. Commissioner José de Jesús Orozco Henríquez served as academic director of this diplomate program.
- The team of the Rapporteurship participated, on November 30, 2016, in the Seventh Inter-Mechanisms Meetings on human rights defenders in Brussels, Belgium. The meeting included the participation of mandate holders and representatives of the mechanisms of protection for human rights defenders at the United Nations, in Europe, and in Africa. It was organized by the International Federation for Human Rights (FIDH) and the World Organization Against Torture (OMCT).

- On December 2, Commissioner Orozco presented the report *Criminalization of the Work of Human Rights Defenders* jointly with Michel Forst, United Nations Rapporteur for Human Rights Defenders, in Panama City, Panama, in the context of the 159th period of sessions.

6. Rapporteurship on the Rights of Persons Deprived of Liberty

32. The Rapporteurship has been entrusted to Commissioner James L. Cavallaro.

33. In the course of its activities, the Rapporteurship has identified a set of major challenges in the region, and on which it continues placing special emphasis: (i) the excessive use of pretrial detention in most of the states of the region, which has a direct impact on prison overpopulation; (ii) principal challenges in implementing the alternatives to pretrial detention; (iii) situation of overcrowding and overpopulation; (iv) conditions of confinement that do not guarantee the life and integrity of the inmates; (v) lack of mechanisms for fully guaranteeing the human rights of groups and populations in more vulnerable situations, such as women, indigenous peoples, persons with disabilities, Afrodescendent persons, LGBTI persons, and children and adolescents; (vi) corruption and lack of transparency in prison management; and (vii) situation of the economic, social, and cultural rights of persons deprived of liberty; and (viii) privatization of penitentiary services.

34. The Rapporteurship has devoted considerable attention to identifying some of the best practices in managing detention centers in the region. In this regard, it has identified detention centers that have reduced the levels of violence within, including uprisings, crises with hostage-taking and attempts to escape, by implementing systems of control based on respect for rights. The Rapporteurship has observed that the radical changes in results refer to the practices of the systems of detention and the systems of management instead of investment in physical infrastructure. The Rapporteur expects to continue working with the states to implement measures to improve security and human rights conditions in detention centers by improving the administration, instead of mere investment in prison infrastructure.

35. At present the Rapporteurship on the Rights of Persons Deprived of Liberty is carrying out a project financed by Spain that seeks to promote the implementation of integral public policies that make it possible to reduce the use of preventive prison in the Americas and foster the use of alternatives to pretrial detention. To attain this objective, the Rapporteurship is preparing a report to follow up on the recommendations made by the IACHR in its "Report on the Use of Pretrial Detention in the Americas." This report will include, in turn, a practical guide for adapting the use of pretrial detention to international human rights standards, focused mainly on applying alternatives to pretrial detention.

36. In the context of this project, the following activities have been undertaken: (a) working visit to Costa Rica in February 2016; (b) working visit to Argentina in September 2016; (c) colloquia on measures adopted to reduce pretrial detention, held in Costa Rica and Argentina, in February 2016 and September 2016, respectively; (d) holding the public hearing, at its own initiative, on "Measures to reduce pretrial detention in the Americas," held in April 2016 during the 157th regular period of sessions; (e) publication of a questionnaire on April 25, 2016, sent to all OAS member states and more than 1,000 civil society contacts and human rights experts, and (f) the first meeting of experts "Measures to reduce pretrial detention in the Americas," held May 20, 2016 in Washington, DC.

37. The Rapporteurship also participated in and carried out the following activities in the course of 2016:

- In the context of that project Commissioner James Cavallaro, in his capacity as Rapporteur for Persons Deprived of Liberty, made a working visit to Costa Rica from February 15 to 18, 2016. It was the first visit by this Rapporteurship to Costa Rica. The main purpose was to monitor the human rights situation of persons deprived of liberty, and, in particular, to analyze the main gains and challenges the Costa Rican State faces when it comes to reducing the use of pretrial

detention. During the visit the Rapporteurship of the IACHR met with various state authorities; held a colloquium on the measures that the Costa Rican State has adopted to reduce pretrial detention; and visited prisons.

- On February 15, 2016, the Commissioner also directed the Colloquium on “Measures aimed at Reducing Pretrial Detention in Costa Rica,” held in the context of the visit by the Rapporteurship. The objective of this colloquium was to analyze the main challenges and progress as regards adopting measures that reduce pretrial detention; authorities from the three branches of government were in attendance. This colloquium was convened together with the Inter-American Institute of Human Right, the Human Rights Center of Stanford University, and the Center for Justice and International Law (“CEJIL”), which included the participation of members of the National Mechanism for Torture Prevention, the Office of the Ombudsperson, the Public Defender, as well as prosecutors and judicial officials, in addition to civil society representatives.
- On February 16, 2016, the Commissioner and President of the Commission also participated in the international seminar “Histories and perspectives of the Inter-American Court of Human Rights in a global world,” organized by the Inter-American Court as part of the activities marking the beginning of the Inter-American Judicial Year 2016. In particular, Commissioner Cavallaro participated on the panel “Serious Human Rights Violations and their Impact on Legal Systems,” and highlighted the importance and repercussions that the establishment of the GIEI has had on the Mexican State.
- On February 17, 2016, Commissioner Cavallaro participated in the Days on Human Rights and Institutional Violence in Latin America, as part of the Third International Meeting of the Euro-Latin American Network for the Prevention of Torture and Institutional Violence (RELAPT), held in San José, Costa Rica. Commissioner Cavallaro, together with UN Rapporteur against Torture Juan Méndez, participated on a panel on “Challenges of the Systems of International Protection with respect to Cases of Institutional Violence.”
- From February 24 to 27, 2016, the Second National Forum on Alternatives to Prison was held in the city of Salvador de Bahia, Brazil. This forum brought together authorities from the different branches of government to discuss progress in implementing habeas corpus hearings (*audiência de custódia*) and reducing overcrowding in Brazil. In addition to leading the formal opening of this event, Commissioner Cavallaro made a presentation about those hearings.
- On February 26, 2016, Commissioner Cavallaro participated in a colloquium organized by civil society in Sao Paulo, Brazil, related to pretrial detention and other prison issues.
- On April 21, 2016, the Commissioner and President gave a talk at the Stanford University Law School about the privatization of prisons in Latin America.
- On April 25, 2016, the IACHR Rapporteurship sent a questionnaire to States, civil society, and other experts regarding measures aimed at reducing the use of preventive detention in the Americas with a view to collecting information to be used for a thematic report on the topic. This questionnaire was also published on the Commission’s website.
-
- On May 20, 2016, Commissioner James Cavallaro presided over a meeting of experts titled, “Measures to Reduce Preventive Detention in the Americas,” held at OAS Headquarters in Washington, DC, in which specialists from different countries participated. The objectives of this meeting consisted of the exchange of information on successful practices and the principal challenges related to the reduction of preventive detention, particularly those which arose after the issuance of the Report on the Use of Preventive Detention in the Americas, published by the IACHR on December 30, 2013.

- On June 20 and 21, 2016, the Commissioner and President participated in the Meeting of Prison Experts, held in Panama City, Panama. This meeting, organized by the Ministry of Interior of Panama and the Stanford Human Rights Center, included the presence of high-level prison authorities, and focused on the treatment of issues related to living conditions in Latin American prisons and the current situation, systems for the representation of persons deprived of liberty, and the career service in the prison system.
- On July 15, 2016, in observance of Nelson Mandela International Day, the Commissioner and the Rapporteur, jointly and with a group of human rights experts in the area of detention, commended the approval of the Mandela Rules, the revised version of the Minimum Rules for the Treatment of Inmates, adopted on December 17, 2015.
- On August 24, 2016, the Commissioner and Rapporteur participated as a lecturer in the Interdisciplinary Course of the Inter-American Institute of Human Rights, held in Costa Rica. His participation focused on the situation of persons deprived of liberty in the region, with an emphasis on the use of pretrial detention and the applicable standards.
- On August 29, 2016, in the context of the “Héctor Fix Zamudio” Diplomate program on the Inter-American Human Rights System, personnel who support the Rapporteurship made a presentation on *Institutionalization of Persons with Disabilities*. The goal of the presentation was to introduce the international standards related to being deprived of liberty in mental health facilities. The Fix Zamudio Diplomate program is organized annually by the Legal Research Institute of the UNAM; it is held in Mexico City.
- On August 31, 2016, Commissioner James Cavallaro gave the lecture *Inter-American Standards on Pretrial Detention*, presented in the lecture series of the “Fix Zamudio” Diplomate program, held from August 22 to September 2, 2016, in Mexico City. This presentation was based on the standards contained in the IACHR Report on the Use of Preventive Detention in the Americas.
- On September 6, 2016, the Commissioner and Rapporteur participated in the Third *Jean-Jacques Gautier* Symposium, organized by the Association for the Prevention of Torture in Geneva, and which this year was on the monitoring of psychiatric institutions. The Commissioner’s participation, which was in written form, was focused on persons with mental disabilities deprived of liberty in psychiatric institutions, and focused on the following: a) being deprived of liberty as a last recourse, and b) the seriousness of the phenomenon of institutionalization in light of the precedents of the Inter-American System.
- In the context of the project related to pretrial detention, Commissioner and President James Cavallaro, in his capacity as Rapporteur for Persons Deprived of Liberty, made a working visit to Argentina from September 13 to 17, 2016; the main purpose was to monitor the human rights situation of persons deprived of liberty and, in particular, to analyze the main gains, as well as the challenges the Argentine State faces for reducing the use of pretrial detention. The visit included the Autonomous City of Buenos Aires and the cities of La Plata (capital of the province of Buenos Aires), Mendoza, and Santa Fe. During that visit by the Rapporteurship the Commissioner met with authorities of the National Government, and of the provinces of Buenos Aires, Mendoza, and Santa Fe; he also held two meetings with civil society, in the cities of Buenos Aires and Mendoza. In addition, meetings were held to discuss the following precautionary measures: MC 35-14 Alma Fuerte (Mendoza Prisons); MC 104-12 Prison Service of the Province of Buenos Aires; and MC 496-14 and MC 37-15 Persons deprived of liberty at six police stations in Lomas de Zamora and La Matanza. In the context of the visit a colloquium was held on the measures adopted by the Argentine State to reduce pretrial detention, and eight prisons were visited.

- On September 13, 2016, the Commissioner directed the colloquium on *Measures aimed at Reducing Pretrial Detention in Argentina*, held in the context of the visit by the Rapporteurship. The objective of this colloquium was to analyze the main challenges and gains with respect to establishing measures that reduce pretrial detention. That activity was carried out jointly with the Ministry of Justice and Human Rights of the Nation, and included the participation of members of the three branches of government, in addition to representatives of civil society and academia.
- Also on September 13, 2016, the Commissioner and President participated in the meetings of the “Justicia 2020” Program, specifically with the working group on “Criminal Enforcement, Prison System and Jails,” to make a presentation on the situation of human rights of persons deprived of liberty in the region. The “Justicia 2020” Program is a space for dialogue between authorities and civil society for the purpose of designing, implementing, and evaluating policies related to access to justice.
- On September 15, 2016, Commissioner Cavallaro participated in the Fifth National Days of Public Defense *Access to justice for persons in vulnerable situations*, organized by the Office of the Public Defender Service (Ministerio Público de la Defensa) of the province of Santa Fe. The Rapporteur gave a featured lecture on *The Rights of Persons Deprived of Liberty*.
- On December 3, 2016, in the framework of the International Day of Persons with Disabilities, the team that provides technical support to the Rapporteurship, in collaboration with the Press Office, prepared a social media campaign focused on the guarantee of rights of persons with disabilities who find themselves deprived of liberty in mental health centers.
- On December 7, 2016, Commissioner Cavallaro participated in the presentation “The Diagnosis and Model of Care for the Children of Women Deprived of Liberty in Panama,” held in Panama City, Panama. This diagnostic responds to an initiative of the Ministry of Government of Panama, which had the technical support of the United Nations International Children’s Emergency Fund (UNICEF), whose purpose is to contribute to the development of social policies that promote an integral protection and attention of these children.
- On December 7, 2016, in the framework of the 159th Ordinary Period of Sessions of the Commission, the Commissioner and Rapporteur sustained a meeting with the then Vice-Minister of Government of Panama, Maria Luisa Romero, to discuss penitentiary policies.

7. Rapporteurship on the Rights of Afro-Descendants and against Racial Discrimination

38. Commissioner Margarette May Macaulay is the Rapporteur on the Rights of Persons of Afro-Descendants and against Racial Discrimination.

39. The Rapporteurship continues working to address the following challenges: (i) widespread, interrelated, and structural discrimination and racism, including against women, girls, and adolescent females; (ii) accentuated risk of persons of a given racial or ethnic origin becoming victims of the excessive use of force by the police and other forms of criminalization; (iii) the existence of statutes, administrative practices, and judicial decisions that disproportionately affect the ability of persons or populations of a given ethnic or racial origin to enjoy their human rights; and (iv) obstacles to Afrodescendent persons, among others, exercising their civil, political, economic, social, and cultural rights.

40. During this period, on April 5, 2016, the IACHR made public a thematic report on the human rights of indigenous and Afrodescendent persons in the context of extractive, investment, and development projects in the Americas. The report offers an initial approximation to these matters, seeking to consolidate legal standards on the subject in the inter-American human rights system; increase the visibility of the human

rights violations committed in this area; and identify key challenges that require attention from the Inter-American Commission and the states. In addition, the Rapporteurship has been working on a report focused on the disproportionate use of force by police towards African American persons in the United States and the human rights implications of this serious problem. The report will make reference to information compiled by the IACHR, and present an analysis of the most recent emblematic cases in the United States.

41. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- Commissioner Macaulay, in her capacity as Rapporteur for Persons of African Descent and against Racial Discrimination of the IACHR, participated in an event March 18, 2016 organized in Geneva by the United Nations in commemoration of the International Day for the Elimination of Racial Discrimination. The event was focused on a discussion of the progress and challenges in follow-up to the Durban Declaration and Program of Action, and included the participation of Doudou Diène, United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and intolerance; Mr. Abdul Samad Minty, Permanent Representative of South Africa to the United Nations offices in Geneva; and Mireille Fanon Mendès-France, Chair of the Working Group of Experts on Persons of African Descent.
- On June 10, 2016, Commissioner Macaulay offered a presentation on the rights of women and Afrodescendent persons at the inter-American seminar on human rights in Santiago, Chile. This activity was organized in the context of the 158th period of sessions of the IACHR.
- On August 5, 2016, the Commissioner also participated in a ceremony on the ratification of the Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance by Costa Rica, held in that country. The event was organized by legislator Epsy Campbell, the Centro de Mujeres Afrocostaricenses, and the Institute on Race, Equality and Human Rights.
- The Commissioner and Rapporteur also participated in a promotional visit to Brazil from September 27 to October 1 to study up close the human rights situation of Afrodescendent women. During her visit the Rapporteur participated in several open meetings with Afrodescendent women and the organizations that represent them in the cities of Rio de Janeiro, Salvador de Bahia, and Sao Paulo. During these activities the Rapporteur received information on challenges and progress in protecting the rights of Afrodescendent women in Brazil, and disseminated knowledge of the work of the IACHR in this area. This visit was possible thanks to the support of the Institute on Race, Equality and Human Rights and the Articulação de Organizações de Mulheres Negras Brasileiras.

8. Rapporteurship on the Rights of Lesbian, Gay, Bisexual, Trans and Intersex Persons

42. Commissioner Francisco José Eguiguren Praeli is entrusted with the Rapporteurship on the Rights of Lesbian, Gay, Bisexual, Trans and Intersex Persons.

43. The Rapporteurship on the Rights of LGBTI Persons continues working to address several challenges that have been identified in the region, including (i) assassinations and acts of violence against the defenders of the rights of LGBTI persons; (ii) the prevalence of multiple forms of violence against LGBTI persons in the hemisphere, including physical, psychological, sexual, economic, and institutional violence, and other expressions; (iii) the pathologization of LGBTI persons who are adults, adolescents, and children, with special emphasis on medical procedures performed without consent on intersex children; (iv) flaws in ensuring action with due diligence, including prevention, collection of statistical information, investigation, punishment, and reparation for violations of the human rights of LGBTI persons and their family members; (v) the cycle of poverty and exclusion that affects LGBT persons in the hemisphere; (vi) the

human rights of trans persons, in particular in relation to economic, social, and cultural rights (work, education, health, and housing; with recognition of the right to gender identity as the cross-cutting consideration); (vii) setbacks and obstacles to recognition and protection of the rights of LGBTI persons due to the presence of conservative groups; and (viii) the existence, in the region, of good practices implemented by the member states of the OAS related to recognition of the rights of LGBTI persons.

44. The Rapporteurship was engaged in 2016 in disseminating the first regional report of the IACHR on the rights of LGBTI persons. The report, entitled *Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas* (hereinafter “Violence against LGBTI Persons”), was prepared by the Rapporteurship. It includes seven chapters that address the issue of violence committed against LGBTI persons by state and non-state agents, focusing on physical violence and the lack of an effective state response, in breach of the states’ duty to prevent, investigate, punish, and make reparation for this violence. This report develops the concept of violence due to prejudice against persons with non-normative sexual orientations and gender identities and expressions, or bodies that differ from standard “female” and “male” corporality. In this report the IACHR observes that while several countries of the region have seen significant gains in the recognition of the rights of LGBTI persons, there continue to be high levels of violence in all countries of the region, which are characterized by the high degree of viciousness and cruelty. The IACHR also concludes in the report that the vast majority of assassinations and acts of violence against LGBTI persons remain in impunity, and it identified the most significant obstacles to access to justice for LGBTI persons and their family members. Commissioner Francisco Eguiguren, Rapporteur for the Rights of LGBTI Persons, launched the report and presented the report’s main findings and recommendations in the context of the 157th period of sessions of the IACHR on April 5, 2016.

45. The Rapporteurship participated in and carried out the following activities in the course of 2016:

- On January 27, 2016, the organization Red Latinoamericana y del Caribe de Personas Trans (Redlactrans), with the support of national trans organizations and the team of the LGBTI Rapporteurship, convened an event in Washington, DC to launch its report “Violaciones a Derechos Humanos de personas Trans en cinco países de América Central: Costa Rica, El Salvador, Guatemala, Honduras, y Panamá” (“Violations of the Human Rights of Trans Persons in Five Central American Countries: Costa Rica, El Salvador, Guatemala, Honduras, and Panama”). This report is the first phase of a series of reports and monitoring by Redlactrans in several countries of the region. The panel included the President of the IACHR, Commissioner James Cavallaro; then-Executive Secretary Emilio Álvarez Icaza; the Secretary for Access to Rights and Equity of the OAS, Ideli Salvatti; the Director of Redlactrans, Marcela Romero; and the team of the Rapporteurship for the Rights of LGBTI Persons of the IACHR. The panel was moderated by Stefano Fabeni, Executive Director of Global Initiatives for Human Rights, Heartland Alliance for Human Needs and Human Rights. The event was attended by more than 80 persons, including representatives of the OAS member states and civil society organizations.
- On February 11, 2016, then-IACHR Executive Secretary Emilio Álvarez Icaza made a presentation to the Committee on Juridical and Political Affairs (CAJP) of the OAS, on the work of the IACHR on sexual orientation, gender identity, and the rights of LGBTI persons, following up on General Assembly resolution AG/RES. 2863 (XLIV-O/14), *Human Rights, Sexual Orientation and Gender Identity*.
- On February 26, 2016, the LGBTI Rapporteurship, together with Special Rapporteur for Freedom of Expression, Edison Lanza, gave a virtual training workshop to journalists in Guatemala, which was organized jointly with the Office of the Human Rights Ombudsperson of Guatemala; the Ombudsperson for Sexual Diversity, Gabriela Tuch; and the Office of the United Nations High Commissioner for Human Rights. The event was inaugurated by the Human Rights Ombudsperson, Jorge de León Duque, and included the presence of journalists and employees of the following media outlets: El Periódico, Prensa Libre, Publinews, Emisoras Unidas, Al Día, Radio Punto, Nuevo Munido, TN23, Diario de Centro América, Radio Universidad, Diario Digital,

Nómada, Plaza Pública, FGER, La Hora, Radio Mundial, Guatevisión, Notisiete, T13 Noticias, Telediario, and TV Azteca.

- On March 7, 2016, the team that supports the LGBTI Rapporteurship made a presentation on the human rights of LGBTI persons who are asylum-seekers and refugees, in the context of the course on international refugee law for the permanent missions of the OAS member states. That course was held pursuant to the mandate established in resolution AG/RES. 2839 (XLIV-O/14) “Protection of Asylum-Seekers and Refugees in the Americas” adopted by the OAS General Assembly, which entrusted the Permanent Council with carrying it out, in the context of the Committee on Juridical and Political Affairs, with the support of the Department of International Law of the General Secretariat and the technical and financial cooperation of the Office of the United Nations High Commissioner for Refugees (UNHCR).
- On March 7, 2016, the Secretary General of the OAS launched the *Institutional Policy on Gender Equality, Diversity and Human Rights* of the OAS; it was drafted by the Inter-American Commission of Women. That Policy has a key part related to non-discrimination and inclusion of persons due to sexual orientation, gender identity and expression, and diverse bodies, incorporated based on input given by the OAS Group of Lesbian, Gay, Bisexual, Trans, Queer and Intersex Employees and their allies (LGBTQI Group of the OAS), which includes the team of the LGBTI Rapporteurship of the IACHR. During this period, the LGBTI Rapporteurship continued its work of promoting the rights of LGBTI persons within the Organization of American States. For example, the LGBTI Rapporteurship held an initial meeting with the Director of Human Resources of the OAS, Rodrigo Torres, and Specialist Cristina García, with the objective of shoring up protection and respect for the rights of these persons within the OAS. This meeting was followed by a training that will be discussed below. In addition, the LGBTI Rapporteurship, along with other employees of the OAS, through the LGBTQI Group of the OAS, directed a letter to the Secretary General of the OAS, Luis Almagro, requesting the designation of a gender-neutral bathroom, which was approved on March 10, 2016.
- On March 31, 2016, the Rapporteurship participated in the panel discussion on “New Frontiers in the Rights of LGBTI Persons,” organized by the American Society of International Law, in the context of its 110th Annual Conference, held in Washington, DC.
- On April 1, 2016, the Rapporteurship organized a luncheon with the staff of the Executive Secretariat of the IACHR to discuss a research and documentation project on the situation of human rights of LGBTI persons in Southeast Asia, entitled *Not Only Voices: LGBTI Persons in Southeast Asia*, produced by a former fellow in the LGBTI Rapporteurship of the IACHR, Gabriel Alves de Faria.
- On April 6, 2016, the Rapporteurship made a presentation in the context of the Human Rights Institute: Associates Program, organized by the Human Rights Institute of Georgetown University Law Center, on the work of the Rapporteurship.
- On April 8, 2016, the Rapporteurship participated in a panel discussion organized by CEJIL with the objective of discussing the new report by the Special Rapporteur on torture and other cruel inhuman, or degrading treatment or punishment, Juan E. Méndez, which has a major component on torture and the human rights of LGBTI persons.
- On April 13, 2016, the Rapporteur for the Rights of LGBTI Persons, Commissioner Eguiguren, led a dialogue with the member states on good practices in respect of human rights of LGBTI persons, which was held at the headquarters of the IACHR in the context of the 157th period of sessions of the IACHR. The dialogue was moderated by then-Executive Secretary of the IACHR Emilio Álvarez Icaza.

- On April 20, 2016, the Rapporteurship gave a training on terminology and the human rights of LGBTI persons, for the Director of Human Resources of the OAS and all the personnel, both professional and administrative, of the Department of Human Resources of the OAS.
- On April 29, 2016, the Rapporteurship also have a virtual training on terminology and human rights of LGBTI persons, which was geared to the professionals supporting the Mission to Support the Peace Process in Colombia (MAPP-OAS), throughout Colombia.
- On May 4 and 5, 2016, the Rapporteurship gave a training to human rights defenders of trans persons, convened by the organizations Akahatá (Equipo de Géneros y Sexualidades) and Heartland Alliance for Human Needs and Human Rights; it was held in Bogotá, Colombia.
- On May 18, 2016, the Rapporteurship gave a lecture, virtually, which was the closing lecture of the Forum *A view from Disability, HIV, and Sexual Diversity*, organized jointly by the National Human Rights Commission of Mexico, the Court of Administrative Justice of Michoacán de Ocampo, and several Mexican universities.
- On May 18, 2016, the Executive Secretariat of the IACHR gave a presentation to the Permanent Council of the OAS in the context of the Commemoration of the International Day against Homophobia, Transphobia, and Biphobia; several member states of the OAS had asked that it do so.
- On June 9 and 12, 2016, the Rapporteurship gave training workshops on the inter-American human rights system and the work of the IACHR on the rights of LGBTI persons, in Santo Domingo, in the context of the 46th session of the General Assembly of the OAS; the workshops were geared to human rights activists and defenders of the human rights of LGBTI persons.
- On June 14, 2016, in the context of the 46th session of the OAS General Assembly, the Rapporteurship held an informal meeting with Dominican LGBTI civil society organizations, in Santo Domingo, Dominican Republic, to discuss their work. Subsequently, then-Executive Secretary of the IACHR Emilio Álvarez Icaza, presented the Report on Violence against LGBTI Persons in the Americas in a panel discussion in Santo Domingo, Dominican Republic, in coordination with the Institute on Race, Equality and Human Rights. The public also included the President of the IACHR, Commissioner James Cavallaro, and the Special Rapporteur for Freedom of Expression of the IACHR, Edison Lanza. The co-panelists were members of civil society organizations from the region, including Christian King and Alejandra Sardá. The event was moderated by Carlos Quesada, Director of the Institute on Race, Equality and Human Rights.
- On June 29, 2016, the team of the LGBTI Rapporteurship participated in a panel discussion on the human rights of LGBT persons in the context of a dialogue at the White House in Washington, DC.
- On July 7, 2016, the team of the LGBTI Rapporteurship participated on a panel held at the Embassy of Finland in Washington DC, on occasion of the launch of a report by the organization International Center for Research on Women (ICRW), entitled “Whose Justice, Whose Alternative?”, on alternative dispute settlement methods associated with cases of family violence. The attorney’s presentation was focused on the situation of family violence and intimate partner violence in cases of same-sex couples and diverse couples.
- On July 11, 2016, the Rapporteur for the Rights of LGBTI Persons, Commissioner Francisco Eguiguren, and the fellow who gives support to the work of the Rapporteurship, participated in the Seminar on Equality and Non-Discrimination on grounds of sexual orientation and gender identity for Parliamentarians of Latin America and the Caribbean, organized by the organization Parliamentarians for Global Action (PGA) and the United Nations Development Program (UNDP),

- which was held at the headquarters of the Congress of Uruguay on July 11, 2016. During this event the Parliamentary Manual on Human Rights, Sexual Orientation, and Gender Identity was launched; it was prepared by PGA and the UNDP, and is a tool with crucial information on human rights and specific actions to create greater awareness, and to scrutinize and reform the legal framework in relation to the needs of LGBTI persons.
- From July 13 to 15, 2016, the Rapporteur for the Rights of LGBTI Persons, Commissioner Francisco Eguiguren, and the fellow who supports the work of the Rapporteurship, participated in the world conference on *Human Rights of LGBTI Persons, Non-violence, non-discrimination, and social inclusion*, co-chaired by the governments of Uruguay and the Kingdom of Netherlands, held in Montevideo July 13 to 15, 2016. Rapporteur Eguiguren participated as a principal panelist in one of the sessions opening the first day of the Conference. The LGBTI Rapporteurship also participated in the Working Group on Regional and International Diplomacy.
 - On July 20, 2016, the team of the LGBTI Rapporteurship made a presentation on terminology in respect of sexual orientation, gender identity and expression, and on the human rights situation of LGBTI persons, for state officials from various branches of government of the governments of 10 member states of the OAS, in the framework of the Course on the Inter-American System of Protection of Human Rights organized jointly by the IACHR, American University Washington College of Law, the Inter-American Institute of Human Rights (IIDH), and Robert F. Kennedy Human Rights.
 - On July 21, 2016, the team of the LGBTI Rapporteurship offered a presentation on the situation of human rights of LGBTI persons at a open seminar held by Internet and organized by Mukira, Justicia, Género y Buenas Prácticas, an initiative working in Mexico, specifically in Mexico City.
 - On July 26, 2016, the team that supports the LGBTI Rapporteurship gave a virtual training to several activists engaged in supporting the rights of LGBTI persons, who were attending a course on training in international and regional mechanisms for the protection of human rights organized by the Institute on Race, Equality and Human Rights held in Cartagena, Colombia.
 - On July 27, 2016, the Rapporteur for the Rights of LGBTI Persons, Commissioner Francisco Eguiguren, participated in a dialogue with representatives of the eight OAS member states that are part of the LGBTI Support Group of the Organization of American States (Argentina, Brazil, Canada, Chile, Colombia, Mexico, the United States, and Uruguay).
 - On August 31, 2016, the Rapporteur for the Rights of LGBTI Persons, Commissioner Francisco Eguiguren, and the team of the Rapporteurship, gave course in the context of the “Héctor Fix-Zamudio” Diplomate program on the Inter-American Human Rights System, the result of an agreement involving the Universidad Autónoma de México (UNAM); it was carried out at the Legal Research Institute of the UNAM, in Mexico City. Commissioner Eguiguren participated giving the class “The Rights of LGBTI Persons in the Americas,” while the team of the Rapporteurship made a presentation on “Gender Identity and Sexual Orientation.”
 - On September 1, 2016, the team of the LGBTI Rapporteurship of the IACHR participated making a presentation at an informal roundtable for dialogue on the IACHR’s report “Violence against LGBTI Persons in the Americas,” along with other panelists from civil society, including the organizations El Closet de Sor Juana and Almas Cautivas A.C. The panel discussion was held at the School of Law of the Universidad Nacional Autónoma de México (UNAM) and was moderated by Socorro Apreza Delgado, Director of the Philosophy of Law Seminar at the UNAM.
 - On September 2, 2016, the team of the Rapporteurship participated as a judge in the “Sergio García Ramírez” human rights competition organized by the Universidad Autónoma de México in collaboration with the Inter-American Commission on Human Rights, on which occasion

- students from several universities of the hemisphere participated, simulating a proceeding before the Inter-American Court of Human Rights in a case called “Micaela Marcano v. the State of Sacayán” related to the rights of trans persons.
- On September 19, the team of the Rapporteurship made a presentation at the annual conference of the International Bar Association, held in the city of Washington, DC September 18 to 23. The participation was on the panel “Criminalization of homosexuality internationally: Progress or Setbacks?,” along with Michael Kirby.
 - On October 13 and 14, 2016, the team of the Rapporteurship participated making a presentation at the Meeting of Key Actors on Education, Sexual Diversity, and Gender, which was organized by the member organizations of the Red Iberoamericana de Educación LGBTI (REI), Llámale H (Uruguay), Promsex (Peru), MOVILH (Chile), Colombia Diversa (Colombia), and Fundación Triángulo (Spain).
 - From October 31 to November 5, 2016, Commissioner and Rapporteur on the rights of LGBTI persons Francisco Eguiguren Praeli accompanied by a fellow who supports the work of the Rapporteurship, made a promotional visit to Brazil at the invitation of the Institute on Race, Equality and Human Rights, visiting the cities of Brasília, Salvador de Bahia, and Belo Horizonte. During this visit the Rapporteur for the rights of the LGBTI persons launched the Portuguese-language version of the report Violence against LGBTI Persons in the three cities visited. During the visit several meetings were held with both federal and state agencies that work on the rights of LGBTI persons, as well as meetings and panel discussions with civil society organizations to receive information on the issues that affect LGBT persons in Brazil. In addition, the fellow who supports the work of the Rapporteurship gave a training workshop on the inter-American human rights system to civil society activists in the city of Belo Horizonte, with a focus on the rights of LGBT persons.
 - From December 2 to 10, 2016, the fellow who supports the Rapporteurship participated in the Human Rights Advocacy Week organized by OutRight Action International, a civil society organization. During that week 60 human rights defenders from more than 25 countries met with representatives of the governments and agencies of the United Nations to discuss the most pressing human rights situations that LGBTQI persons face in their countries. The week ended with the “OutSummit” conference, during which the fellow participated in a panel discussion on international policy.
 - On December 12, 2016, Rapporteur Eguiguren participated in the roundtable of the event organized by the LGBTI Group of the OAS “LGBTI Youth in the Americas: Going Forward in the Commitment to Protect the Victims of Human Trafficking,” in the context of the celebration of International Human Rights Day. On that occasion, the OAS Secretary General Luis Almagro offered the welcoming words. The event included the participation, among others, of Randy Berry, Special Representative of the United States for the Rights of LGBTI Persons; Randy Boissonnault, Special Adviser on LGBTQ2 Issues to the Prime Minister of Canada; Clifton Cortez, Special Adviser to the World Bank on Sexual Orientation and Gender Identity; and Paola Castrón, a trans woman who is a survivor of human trafficking.

9. Unit on Economic, Social and Cultural Rights

46. Commissioner Paulo Vannuchi has been entrusted with the Unit on Economic, Social and Cultural Rights (ESC Rights).

47. The Unit has identified a series of persistent challenges in the region on which it is focused: (i) rights to water and food; (ii) obstacles in access to justice in cases of violations of economic, social and cultural rights; (iii) special impairments of the enjoyment of economic, social, and cultural rights of persons,

communities, and groups in vulnerable circumstances, such as women, persons living with HIV, indigenous peoples, LGBTI population, and Afrodescendants, among others; (iv) barriers to the exercise of the right of access to information and participation in relation to economic, social, and cultural rights; and (v) violations of economic, social, and cultural rights by businesses, especially in relation to economic, social and cultural rights in the context of activities undertaken by businesses, especially in relation to projects for extraction, development, and investment, among others.

48. In this regard, during 2016, the ESC Rights Unit has continued implementing actions with a view to obtaining resources for establishing the Special Rapporteurship and has organized regional consultations to define its work plan. In addition, in carrying out a project with financing from the European Union, the Unit gave impetus to the process of drafting and approving the first thematic report on *Poverty, Extreme Poverty and Human Rights in the Americas*. That report represents an opportunity for the IACHR to promote and develop this topic from a human rights approach, analyzing the effects of poverty on the enjoyment and exercise of those rights, and to establish the legal framework for finding the international responsibility of states in relation to poverty and extreme poverty. In addition, said report addresses the impact of the problem of poverty on the enjoyment of human rights with respect to persons, groups, and communities that have suffered discrimination historically.

49. In the context of preparing this report seven visits were made to member countries of the OAS: Bolivia, Guatemala, Guyana, Paraguay, Peru, and two visits to the United States. The visits were aimed at obtaining information through three channels: directly with the persons, groups, and communities that have suffered discrimination historically who are living in poverty and extreme poverty; with public authorities concerning the measures and public policies they have implemented for reducing poverty; and with the social movements and civil society organizations devoted to that area of action.

50. In addition, in preparing this report the Commission held a consultation with experts on the issue, which included the participation of representatives of multilateral organizations, universities, and NGOs, in order to get additional input and validate the consistency of all the information and approaches. During the 159th regular period of sessions, held in Panama from November 29 to December 7, 2016, the IACHR provided a forum for dialogue for representatives of states and civil society to be able to make contributions.

51. On December 22, 2016, the ceremony to launch the preliminary report on *Poverty, Extreme Poverty, and Human Rights in the Americas* was held at the Institute for Public Policies on Human Rights of Mercosur. On that occasion Commissioner Vannuchi announced the opening of a period for receiving comments and additional information before issuing its final report on the subject. The inputs received will be considered by the IACHR for issuing said final report in the first half of 2017. In this respect, the IACHR and its ESC Rights Unit are grateful for the cooperation of that Institute, as well as the input of civil society, academia, social and trade union movements, as well as input of the states of the region for the preparation and presentation of the report. The IACHR notes in particular the valuable and dedicated support of the European Commission.

52. Commissioner Enrique Gil Botero and Commissioner Esmeralda Arosemena de Troitiño, members of the Working Group of the Protocol of San Salvador, by designation of the plenary of the IACHR, participated in the meetings and hearings of that Group in the cycle of presentation and analysis of reports on ESC rights in the states party (cluster on social security, health, and education). In their different activities as commissioners both have made efforts to draw this new and strategic group of experts, as well as representatives of states, closer to the IACHR, and to value cooperation initiatives in the common effort to promote progressive advances in ESC rights in all OAS member countries.

53. The ESC Rights Unit also participated in and carried out the following activities in the course of 2016:

- On January 27, 2016, the sixth Regional Consultation in the context of the process that the ESC Rights Unit has been implementing since May 2013 was held in Washington, DC; the process has been aimed at compiling inputs on priority matters and next steps in the area of economic, social and cultural rights in the Americas. The meeting included the participation of more than 20 civil society organizations and experts from the United States and Canada, including the Red-DESC, Center of Concern, CESR, CIEL, CWGL, DPLF, Kairos/Poverty Initiative, Mining Watch, PHRGE, and Tara Melish, among others. After the regional consultations held in Argentina, Brazil, Colombia, Mexico, and Paraguay, this sixth consultation addressed several issues, such as poverty, structural inequalities, and the systemic patterns of violations of economic, social and cultural rights. During the meeting abundant information was received on the activities of private actors such as companies and the international repercussions of the governmental policies of the United States and Canada in this area. In addition, it was recognized that there are vital matters for the protection of economic, social, and cultural rights in these countries, including the lack of an adequate guarantee of the rights to water and sanitation in places such as Detroit and Flint, in Michigan, and the similarity between these struggles and those waged throughout the hemisphere for dignity, well-being, and justice. The organizations present highlighted the important role of the IACHR in the discussions about vindicating these rights.
- On February 18 and 19 the ESC Rights Unit participated in the seminar “International Human Rights Law and Extractive Industries,” organized by the *Rocky Mountain Mineral Law Foundation* in Panama. That event included the participation of representatives of international organizations, civil society, academia, and companies operating in the Americas. At that event the ESC Rights Unit presented its work and the standards of the IACHR on the subject. The IACHR, in turn, took advantage of the occasion to call on the various relevant actors to initiate a frank dialogue so with a view to advancing in the implementation of inter-American standards related to the activities of extractive industries in the region.
- On June 9, 2016, the ESC Rights Unit participated in a roundtable dialogue organized by the Human Rights Center of the Universidad Diego Portales on issues related to business and human rights. Commissioner Vannuchi also made a presentation on issues related to truth, justice, and reparations at the Inter-American Seminar on Human Rights organized by the IACHR on June 10, 2016 in Santiago, Chile.
- The ESC Rights Unit participated in the Colloquium on the Rights of Older Persons, which was held October 3 and 4 at the Supreme Court of Mexico, with the aim of fostering an inter-American dialogue on the topic.
- Commissioner Vannuchi, in charge of the ESC Rights Unit, made a presentation in the “Héctor Fix-Zamudio” Diplomate program on the Inter-American Human Rights System, 2016 edition, held August 22 to September 2, 2016, in Mexico City. The Diplomate was held by the Legal Research Institute of the Universidad Nacional Autónoma de México, with the cooperation of the Office of General Counsel of the same university, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the National Commission on Human Rights, the Centro de Investigación y Docencia Económicas, and the Inter-American Academy on Human Rights of the Universidad Autónoma de Coahuila; and included the participation of academics, students, members of civil society organizations, and public servants.
- On December 2, 2016, the Inter-American Commission on Human Rights signed, with the Observatory on the Right to Food for Latin America and the Caribbean, a declaration of interest in joint work for promotion and respect of the right to food, in the context of its participation at the Sixth Meeting of the Observatory of the Right to Food for Latin America and the Caribbean.