

IIHR

Inter-American Institute
of Human Rights

The Inter-American Institute of Human Rights is an independent international academic institution, created in 1980 under an agreement between the Inter-American Court of Human Rights and the Republic of Costa Rica.

Today, the IIHR is one of the most important world centers for teaching and academic research on human rights. IIHR executes more than 50 local and regional projects for the dissemination of these rights among the principal non-governmental organizations, and among the public institutions of the Americas.

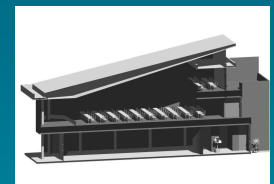
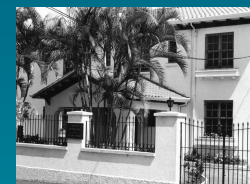
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Building democracy from the point of view of human rights

Twenty-fifth Anniversary of the
Inter-American Institute of Human Rights



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**BUILDING DEMOCRACY FROM THE
POINT OF VIEW OF HUMAN RIGHTS**

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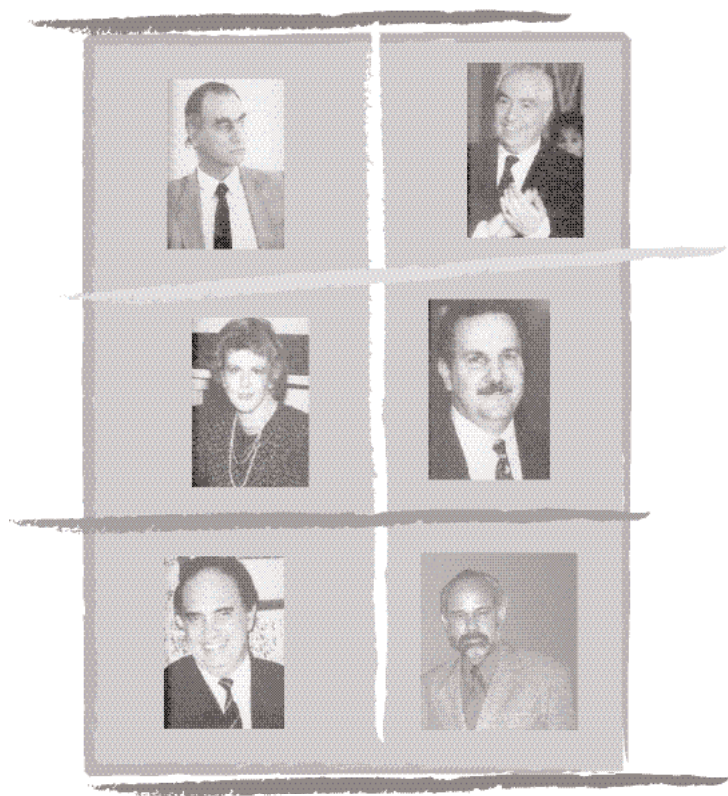
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Executive Directors of the IHR (from top, left to right): Hernán Montealegre (Chile), 1981-1984; Héctor Gros Espiell (Uruguay), 1985-1987; Sonia Picado Sotela (Costa Rica), 1984-1985/1987-1994; Antônio Augusto Cançado Trindade (Brasil), 1994-1996; Juan E. Méndez (Argentina), 1996-1999; Roberto Cuéllar M. (El Salvador), 1999-.

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INTRODUCTION

Throughout human history, our calendars have provided an opportunity for reflection. As such, we can agree that although purely symbolic –or as some might prefer, conventional– commemorations are important. They are an occasion to pay homage, through both evaluation and celebration.

This profile of the Inter-American Institute of Human Rights in commemoration of its twenty-fifth anniversary is not exception: it is an homage, evaluation and celebration.

This is a homage to those who established the foundation of the institution –judges, academics and activists in the field of human rights, many of whom have passed away–. It is also a recognition of those who later took up the challenge with dedication and commitment. They have made the IIHR a solid institution that is acknowledged as a leader in the promotion of human rights in the Americas.

It is to be, as well, a reflection that allows for the evaluation of achievements during this quarter century, as well as current challenges which are not to be underestimated. Lastly, this reflection will also be a contribution to the celebration of the twenty-fifth anniversary of the IIHR in October 2005.



The 1980 signing of the Convention between the Inter-American Court of Human Rights and the Government of Costa Rica. From left to right: Elizabeth Odio, Minister of Justice and current Vice-president and Judge of the International Criminal Court as well as member of the IIHR General Assembly; Rafael Ángel Calderón Fournier, then Minister of External Relations, and Rodolfo Piza Escalante (†), then President of the Inter-American Court of Human Rights.

TWENTY FIVE YEARS

If we were to create an expressionist sketch of the human rights situation in the hemisphere -from the time the IIHR was created until today- a disconcerting landscape would result where many things would have changed dramatically and others would have remained much the same. More than a word game, this metaphor emphasizes the contradiction of this century, as well as the last quarter of the century just passed, in the Americas.

Such an overview would reveal that, in 1980, military dictators held power over a large part of Latin America. Torture, summary executions, forced disappearances and other cruel and disturbing practices were sheltered under national security doctrines as tools to fight ideological enemies while credible, fair and transparent elections were rare in the hemisphere. Today the situation has been reversed and rather than authoritarian regimes, democratic elections have become the norm in the Americas. Although forced disappearances, torture and extra-judicial executions have not been completely eradicated, today they are the exception, and generally committed by non-State actors. In other words, they are no longer of such a massive, systematic and shocking nature.

At the time, terrorism was also a human rights issue, as many Latin American states employed it against their own citizens and so-called paramilitary groups to create panic within the population. However, it didn't represented the international threat of the attacks carried out 11 September 2001 (New York), 11 March 2004 (Madrid) and 7 July 2005

London). There is no doubt that corruption was entrenched in the dictatorial governments of that period however, the opacity of these regimes significantly impeded the population's ability to evaluate its severity. Although serious limitations still exist with regard to the free circulation of information, citizens are now informed of the embezzlements, contradictions and other acts of corruption committed by civil servants of democratically elected governments through mass media. Obviously, this had the effect of lowering citizenry confidence during the transitional period toward democracy.

In those years, the world powers were fighting their final "Cold War" battles in Central America, resulting in hundreds of thousands dead and millions displaced by conflict. Contemporary international tensions are now set between the "first" and "third" world, north and south as well as the trajectories of different civilizations. As a result of this disparity, immigration is unavoidable as the majority of people are attracted by the possibility of a life denied to them by their respective countries.

Initially, the Internet was an exclusive resource of the American military and perhaps some scientists in the developed world. Obviously it was very far from being the massive phenomenon that it is today, its transformative impact demonstrated in all areas of human activity and social order. HIV-AIDS was far from being the pandemic into which it has been transformed. Moreover, the degradation of fertile land, cutting down of forests and the extinction of various plants and animals has advanced with overwhelming force. Yet in some countries, the rhythm of this destruction has diminished and, for some species, spectacular advances have been observed in their recuperation.

Then, as now, almost half the population of Latin America and the Caribbean lived in poverty, a percentage representing 110 million people in 1980 and 226 million today, providing undeniable proof that a significant number of Latin Americans cannot find the means to meet their basic

needs. Although the percentage of malnourished has slightly diminished –from 13% in 1980 to 11% in 2000– in absolute terms this signifies that more people are undernourished today than ever before.

During the last quarter century, democratic institutions multiplied and transformed in almost all nations of the hemisphere; ombudsman offices appeared, as well as those specialized in the defense and promotion of women's, indigenous and children's rights. Moreover, laws were adopted and specialized tribunals were established to receive complaints related to the fundamental citizen rights. However, opportunities for human development are still denied to millions based on their ethnic or cultural group. Restrictions are also imposed according to gender-based obligations and legal recourse for poor and discriminated populations.

This contrast could be extended to illustrate, on one hand, profound change while on the other hand, what little has changed in the region during the last quarter century. Although it would be unfair to negate progress, including significant advances in some fields, it would also be naive to ignore that these same advances have been insufficient. Today, challenges remain as big and important as they were when the IIHR was created.

THE FOUNDERS AND THEIR CIRCUMSTANCES

Questions on the relevance of an inter-American institute dedicated to the promotion of human rights appeared as soon as the Inter-American Court of Human Rights was established in Costa Rica. At the time, June 1979, the Court appointed a commission, composed of judges Thomas Buergenthal and Carlos Roberto Reina, to address these doubts and study the suitability of such an institute. In its first regular session, held in September of the same year, the Court heard the Commission's report, which concluded that the IIHR would be of major importance.

In the same session, a sense of urgency was revealed in the Court's commitment to organize an international meeting of Latin American human rights experts to discuss the creation of the IIHR. To these ends, the Court appointed an organizing commission, composed of Judges Buergenthal and Reina in addition to Costa Rican jurists (Luis D. Tinoco, Eduardo Ortiz, Fernando Volio, Fernando Fournier and Jorge A. Montero), as well as Judge Máximo Cisneros, in his capacity as Vice-president of the Court.

In order to convene this meeting, the organizing committee requested financial support from the United States Agency for International Development (USAID), an organization that has since become a strong supporter of the IIHR. Roma Knee, an evaluator of this initial proposal, stated:

“From our point of view, Judge Buergenthal arrived at the appropriate moment, as the initiatives of the Carter Administration and human rights were being established as an axis of US foreign policy. In this was a new legislation that designated a small quantity of funds to AID, which was to be used exclusively for projects and activities promoting human rights. The authors of this legislation had in mind exactly those activities that the Institute would represent, such as research and, specifically, information dissemination and education.”

Coinciding with the Court's second session in January 1980, the meeting went according to plan and amongst the 38 specialists in attendance were judges from the Court, five members of the Inter-American Commission on Human Rights, the President and Executive Secretariat of the Inter-American Commission of Women, as well as representatives from several distinguished NGOs. During the six working sessions, experts recommended the creation of an Institute dedicated to human rights education in the Inter-American context. Institute guidelines were established at this meeting and, since being put in place, have defined the character and structure of the IIHR. They are as follows:



Sonia Picado Sotela, then Vice-president of the IIHR, stands in front of a photograph of Thomas Buergenthal at a ceremony held on October 30, 2000 to honour Buergenthal for his central role in the creation of the Inter-American Institute decades earlier.

- The Inter-American Institute will be an academic and educational institution and will not be an advocacy organization; its primary mission will be teaching, research and the promotion of human rights in the Americas.
- The professional and academic orientation of the Institute will be multidisciplinary.
- The Institute must take into account the specific needs of the Commission and the Inter-American Court of Human Rights in its programs and projects. At the same time, it must collaborate with these and other entities in the defense of human rights on the American continent.

At the end of the meeting, participants entrusted the presidents of the Court and the Inter-American Commission of Human Rights to designate a group to draft statutes of the emerging body, using the Committee's recommendations as a point of departure. Ultimately, seventeen people were selected to work on this project beginning the following March. Members of this executive council were designated by virtue of their commitment to the human rights cause, rather than their affiliation with a country or organization. Until today, the majority of IIHR General Assembly members continue to hold positions on a voluntary basis.

Simultaneous to these regional preparations, the Costa Rican government of Rodrigo Carazo Odio also made a commitment to human rights, establishing them as an axis for external politics. As such, circumstances were created whereby both Judge Rodolfo Piza, President of the Inter-American Court, and Luis Demetrio Tinoco, President of the Inter-American Commission, could approach the Costa Rican government for assistance in finding support for the IIHR. In response, Mr. Carazo's government offered its unrestricted support to this initiative, just as when the American Convention on Human Rights was adopted in San Jose.

Through statutes of the Government of Costa Rica and the Inter-American Court of Human Rights, a constitutional covenant was established to create the IIHR. Its international character and autonomy was enshrined in this original document, establishing the Institute's independence from internal Costa Rican law. The constitutional covenant was ratified by the Legislative Assembly of Costa Rica (Law No. 6528) and adopted on October 28, 1980 in a period of time reflective of the strong support of Costa Rica's government.

The Board of Directors of the Institute was named by the President of the Inter-American Court of Human Rights and convened for the first time in January, 1981 at the Court's facilities in San Jose. On this occasion, Chilean Hernán Montealegre was designated as Executive Director, beginning in March of the same year.

In the context of the Cold War, such regional human rights initiatives were criticized. According to Thomas Buergenthal, Honorary President of the IIHR, this initiative was no exception. There was a suspicion during the 1970s and 1980s that the IIHR had been created as a tool of governments and official agencies.

"I was totally aware of this," avers Buergenthal, "and, as such, [the Institute] adopted a basic policy: all the money that the Institute received had to be clearly identified, in the way that anyone could come and look at the Institute's books to see where from it had come".

The initial operative structure of the Institute included five permanent programs addressing: juridical protection of human rights; promotion of democratic institutions; economic, social and cultural rights; educational courses and systems; and special projects.

In 1980, when experts first recommended the creation of an inter-American institute dedicated to human rights education, they suggested that its headquarters be located "in the immediate vicinity of the Court". Yet again, the Friedrich Naumann Foundation offered its support and donated the

necessary funds to establish the institutional seat. Both the individual commitment of Bruno Thiesbrummel and a series of happy coincidences made it possible that proposed recommendations, made nine years earlier, could be made a reality. Thus, the IIHR was established a mere two blocks from the Court in San Jose. Two years later, the Costa Rican government channeled important funds from USAID to the IIHR, to expand the facilities and add an extension to the original building donated by the Naumann Foundation. This increased the Institute's space and further advanced the goal of having a facility capable of holding all IIHR staff. Precisely within the context of the twenty-fifth anniversary celebrations, this desire to expand continues with the inauguration of the Inter-American Classroom for Human Rights, located at IIHR headquarters, and built with the support of the Ford Foundation, the Government of Norway, special contributions from members of the IIHR General Assembly, as well as the support of individual persons and nations that believe in the Institute's work.

AN INSTITUTE IN DEVELOPMENT

The first event hosted and organized by the IIHR was a seminar held in San Jose, Costa Rica from 23-27 August 1982, to mark a project on the constitutional protection of human rights in Latin America. Financial support came once again from the Friedrich Naumann Foundation and Uruguayan jurist Enrique Pedro Haba coordinated the event.

The results of this research would later be presented publicly in two volumes, called *Protecting Human Rights in the Americas: Selected Problems*, written by Thomas Buergenthal, Robert Norris and Dinah Shelton. The volumes were originally written in English and then translated and published by the IIHR, illustrating the editorial depth of an organization which has become the most important publisher specialized in human rights in the Americas.

Almost simultaneous to this work, two other initiatives were put forward. The first, entitled *Penal Systems and Human Rights in Latin America*, was taken up by Argentinian researcher and penalist Eugenio Raúl Zaffaroni, current Magistrate on the Argentinian Court. The second, under the coordination of Mexican researcher Rodolfo Stavenhagen, current Vice-president of the IIHR and UN Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous People, discussed indigenous rights and human rights in Latin America between 1983 and 1989.

Also included in the initial efforts of the IIHR was the organization of a documentation centre and library connected to the Inter-American Court of Human Rights. To this end, a committee of academics and library science specialists was established in the U.S., to find and manage donations. One of the first donations was received from the Inter-American Association for Democracy and Freedom; this organization donated their archives to the Institute, a valuable resource that included abundant documentation on the many democratic struggles that took place in Latin America during the 1950s and 1960s.

In 1983, some of the projects and programs that had been identified in the Institute's mandate were initiated; among these, the Inter-disciplinary Course in Human Rights, the Center for Electoral Assistance and Promotion (Centro de Asesoría y Promoción Electoral - CAPEL), and the Project to support Human Rights Commissions in Central America. The education in human rights program would have to wait until the following year when an exploratory study realized the potential of incorporating human rights instruction into the curriculum of secondary education. From this original seed emerged a program now dedicated to these ends, which began in 1985.

Although the IIHR's annual human rights course was a central objective, almost two years passed before sufficient funding could be obtained in order to hold it. Hosting this

event for the first time was a major achievement and marked a shift for the Institute.

In its first year, the Course brought together 126 participants from 23 countries over three weeks between 12 September and 1 October, 1983. Many practices were introduced in this first year that later would become the norm for the inter-disciplinary course; for example, representatives from very diverse social and political sectors were invited, including human rights activists, government functionaries and academics, as well as religious, political and union leaders. Moreover, a conference participant was invited to offer additional open public lectures; Spanish philosopher Julián Marías offered four conferences at the National Theatre in San Jose and the University of Costa Rica. Afterwards, politicians such as Patricio Aylwin, writers like Eduardo Galeano and Antonio Gala, and jurists such as Baltasar Garzón, to only mention a few, have been invited to speak in the capacity.

In an evaluative report sent course sponsors, the following was included: “Success and the repercussions of the Course to constitute, without any doubt, a milestone in the history of the Institute and its future evolution in the hemisphere”. In retrospect, this has certainly been confirmed.

For its part, CAPEL was a response to deficiencies in political regimes and a clear and decisive investment in representative democracy and its deep relationship to human rights. Some members of the Institute’s Board of Directors insisted on the importance of an electoral initiative embedded within an organization dedicated to the promotion of human rights. A particularly strong advocate was Fernando Volio Jiménez, who sat as President of Costa Rica’s Legislative Assembly but is more recognized for his role as Special Rapporteur to the Human Rights Commission of the Organization of American States for Chile and Equatorial Guinea, as well as his position on the Inter-American Commission for Human Rights.



Carlos Roberto Reina (†), co-founder of the IIHR together with Thomas Buergenthal. This photo was taken during the meeting of the Board of Directors, held at Institute headquarters in October, 2002.

Initial measures were put in place in 1983, but it was not until 1985 that CAPEL began regular operation under the direction of the distinguished jurist, historian and Guatemalan political figure Jorge Mario García Laguardia. Laguardia had taken the position instead of Jorge Carpizo from Mexico, who was first designated for the job. CAPEL attended electoral processes in almost twenty countries of the region, only between 1985 and 1990.

CAPEL has evolved into an important department and many characteristics distinguish its work, as illustrated in the comments of Magistrate Eduardo Valdés of the Electoral Tribunal of Panama, who recalls:

“Our organization received the assistance that we required through CAPEL. A short while later, our civil servants, properly trained, were requested by other electoral bodies. This then enabled them to continue sharing the experience that had been successfully achieved in Panama. I believe that the training permitted us to achieve one of the most important purposes of technical assistance – the transfer of knowledge in a form whereby the recipient does not have to continue receiving endless amounts of the same support. If it has been real and effective, knowledge will be developed.”

Through its accompaniment and support of electoral bodies in the hemisphere, CAPEL assumed a variety of tasks connected to electoral issues and representative democracy, including work with political parties or on issues surrounding the freedom of expression. In each instance, CAPEL has further defined itself as a valuable and specialized political rights department within the IIHR.

GROWING PAINS

Initially, the IIHR operated out of the Inter-American Court of Human Rights with a staff of no more than ten officials. Hernán Montealegre’s term as Executive Director

concluded in 1984 and in the same year, the Board of Directors named Uruguayan jurist Héctor Gros Espiell to the post. As he was unable to assume the position immediately, Costa Rican Sonia Picado Sotela, ex-Dean of the Faculty of Law at the University of Costa Rica, was named to a one-year term.

At the same time, current Executive Director, Salvadoran Roberto Cuéllar M., joined the Institute as a consultant on a juridical collaboration and technical assistance project for officials of the National Human Rights Commissions of Central America.

Cuéllar recalls,

“At this time, the Institute made it widely known that justice was the democratic instrument for resolving problems: bring your problems to local justice and when that does not work, bring them to constitutional justice; if this constitutional justice is not effective or efficient, turn to inter-American justice”.

In these years, a date was put forward for the education and human rights project, under the direction of Argentinean educator Leticia Olguín. With financial backing from the Friedrich Naumann Foundation, the project began teaching human rights through formal education in Uruguay, Brazil, Argentina, Panama and Costa Rica.

As Gorbachev was adopting the politics of *perestroika* and *glasnost* in the USSR, windows of change were opened for the world. The transforming effect of such political policies arrived in the Americas, modifying the ideological, military and political situation in which the world had lived for half a century. For Central America, devastated by war, processes of dialogue and negotiation were fostered, first by the “Contadora Group” and then, some years later, during the Esquipulas process.

A forum was held in Cartagena, Colombia in 1984, from which the *Cartagena Declaration* resulted. Among other

things, it contributed to the definition and expansion of the term *refugee* and placed the concept of *internal displacement* on the table.

Just four years later, the Program for Refugees, Displaced, and Repatriated and Human Rights emerged, in the same year that the International Conference on Central American Refugees (Conferencia Internacional sobre Refugiados Centroamericanos - CIREFCA) was held in Guatemala City. With a basic and long term vision, this conference positioned itself as the locus for broaching grave human problems –economic, political and social– created by Central American migration resulting from military conflict.

Coinciding with the signing of the Esquipulas Agreements in 1987, Sonia Picado Sotela was redesignated as Executive Director of the IIHR with a renewed four-year mandate.

The Pinochet Government was obligated to call a referendum, held in 1988, to consider constitutional reform that could well have signified a prolonged term for the Chilean government. An organization called Civitas assumed the challenge of mobilizing public opinion and encouraging voter participation in the consultation. Civitas submitted a request for cooperation with IIHR, which allowed others to see how important the opportunity was. Both organizations committed to carrying forth a civil campaign aimed at registering Chileans for participating in the referendum. The campaign was a project that, up until that point, had the widest scope of any that the Institute had assumed; moreover, it was a complete success. The referendum marked the beginning of the end for Chile's military government and ushered in the period of democratic transition in the country.

The IIHR continued to contribute to democratic transition in Latin America where governments were committed to the opposite, first in Chile (1988) and then Nicaragua (1990). Between these events the *soviet block* collapsed, ushering in

the end of an era and, in the opinion of many, the end of the XX century.

At the beginning of the nineties democratic transition had advanced in a number of countries in the hemisphere, suggesting a new institutionality that demanded support, training and interaction with homologous bodies. In response, the Institute dedicated significant efforts to realizing this work.

In speaking on the tenth anniversary of the Institute, celebrated in August 1990, Ms. Picado, Executive Director at the time and now current President of the IIHR General Assembly, reflected:

“In ten years, the Institute has struck a fair balance, where by the promotion and defense of human rights has felt constructive and revitalizing. The Institute defined academia as an understanding of the causes of the bloody, lost decade, and tried to project education as an interaction, tolerance and strengthening of justice”.

THE ERA OF PUBLIC INSTITUTIONS

The strengthening or creation of public institutions dedicated to human rights was one of the most definitive goals during the first half of the 1990s (although technically the process began earlier with the creation of the Ombudsman of Guatemala in 1985). In the span of several years, the continent experienced a multiplication of these types of institutions, to the point where in 1992, organizations of this nature had been established in Colombia, Costa Rica and El Salvador, and one year later, existed in Honduras and Paraguay. In support of this institutional development, the IIHR established an Ombudsman and Human Rights Program in 1993.

Along the same vein, from 1993 the IIHR also established a program for the systematic cooperation of the judicial powers in the hemisphere. Just over a decade later,

cooperative work with these judicial bodies has extended to more than twenty countries, addressing such diverse topics as the training of judges and employees in the administration of justice, assistance in the creation of laws, diffusion of inter-American jurisprudence and research on specific themes, e.g. mechanisms for access to justice, among others.

The introduction of the Armed Forces and Human Rights Program marked an important turn in the evolution of the IIHR. A meeting held in 1992 at the Institute, which all Central American security and defense ministers attended, was the starting point of this effort

Scarcely one decade earlier, such meeting would have been unthinkable for any of these parties. Some parties connected to the human rights work held serious reservations in relation to this project, such as some within military institutions. In response to this lack of confidence, the IIHR contended that the fight was not between civil society and the military, but rather between democratic and authoritarian camps within each.

Among the respective institutions of democratic states, electoral bodies were the first to be consolidated. As early as 1985, the Association of Electoral Bodies of Central America and the Caribbean was formed, followed in 1989 by the Electoral Bodies of the South America, which were created in a convention signed in Quito. Several years later the Inter-American Union of Electoral Bodies (Unión Interamericana de Organismos Electorales - UNIORE) was established. The IIHR strongly supported the constitution of both associations and since then, has acted as Executive Secretariat to both.

The tendency of renascent democratic institutions to exchange information regionally and sub-regionally, creating synergies and strengthening processes, was reaffirmed some years earlier with the formation of the Ibero-American Federation of Ombudsman (Federación Iberoamericana de Ombudsman - FIO). More recently, ombudsman within Central America have followed the same path, also taking on the IIHR as Technical Secretary.



On 31 October 2000 the IIHR held a forum entitled “The political dimension of education in human rights: twenty years of work at the IIHR”, which representatives from donor agencies, related counterparts and organizations, as well as public officials and members of the Board of Directors attended. In the photo, from left to right: Roma Knee, former USAID official, who held a key position in the organization when it made its initial contribution to the IIHR; Pedro Nikken, then President of the IIHR Directive Council, and Thomas Buergenthal, current Honorary President of the IIHR.

EXPANDING HORIZONS

New topics in human rights began to emerge outside the confines of state institutions – such as discussion of historical trauma, restitution of victims’ memory, punishing those responsible for acts of violation and abuse, and the indemnification of their families.

The IIHR responded to these new topics in an opportune way, redefining the Institute’s agenda and applying this new direction on the programmatic level. As in the first half of the 1990s, the IIHR supported the birth, redefinition and fortification of several institutional projects and programs.

Such was the case with women’s rights, which became a principal focus in 1992 through the Gender and Human Rights Program, alongside the institutional incorporation of a gender perspective as a transversal axis.

This also occurred in the area of indigenous peoples and human rights, one of the first topics broached by the IIHR when it established a permanent program at the end of the 1980s. Since then, the Institute has undertaken diverse training initiatives on indigenous rights in: intercultural and bilingual education program; the preparation of the American Declaration on the Rights of Indigenous Peoples; and the development of an “intercultural dialogue” perspective based on the premise that the inherent values of human rights adopt different cultural and historical expressions and rather than being devalued in their universality, they are enriched by this diversity.

Changes at the end of the 1980s profoundly affected human rights organizations already in operation. In this new ideological, economic and political context, many organizations entered into a crisis that culminated in their dissolution.

In response, the Institute promoted discussions with these organizations through a process called *Dilemmas and Challenges for NGOs working for the protection of human rights*, carried out in both Central and South America from 1992-95.

NEW CHALLENGES

In 1993, the United Nations called the *Vienna Conference on Human Rights* and, as part of the same event, the IIHR organized the *Regional Preparatory Conference for Latin America and the Caribbean*. The Vienna Conference was of particular significance as it formalized the “right to development” through centering the notion on the human person. In doing so, it confirmed one of the founding principles of the Institute: the intrinsic relationship between democracy and human rights.

This period also included a change in the Executive Directorate of the IIHR, when the Board of Directors designated Brazilian Jurist Antônio Augusto Cançado Trindade to the post from 1994-1996. Dr. Cançado Trindade’s role, both in this and other fora, allowed the IIHR to support initiatives throughout the region.

In Central America, pacification moved steadily forward. In El Salvador, general elections were held which ushered in a new phase in the country’s history and an end to military conflict following the 1993 Peace Accords. Pedro Nikken, then President of the IIHR, contributed a great deal to the negotiation of these Accords, as a *rapporteur* to the Secretary General of the UN, Javier Pérez del Cuéllar. The IIHR also actively participated in the process through advocating reconciliation, reconstruction and democratization in the region. In addition to its close collaboration with the Electoral Tribunal in technical organization, the IIHR made an important step in the area of human rights education and following the establishment of El Salvador’s Truth Commission, Professor Buergethal was invited to take part in examining the human rights violations perpetrated during the conflict. Referring to this experience, Buergethal, who was born in Germany and survived a childhood in concentration camps, wrote:

“Every nation must confront its past, acknowledging the mistakes that have been made in its name... This cannot be achieved... by simply saying to victims and their families

that nothing happened. The wounds begin to heal when the story is told”.

In the post war context of Central America, ten years after the Cartagena Declaration, the Institute held a meeting in 1994, together with the United Nations High Commission for Refugees (UNHCR), to continue discussion on refugees and the internally displaced. The “Declaration of San Jose” resulted, a document which discusses displacement and internal migration as a consequence of social and economic exclusion, as well as non-compliance with economic, social and cultural rights.

In 1996, the Board of Directors designated Argentinian Juan E. Méndez as Executive Director, who then initiated a process of reflection on the situation of human rights in the hemisphere as well as the role of the IIHR. The process took place over two years and actively involved members of the Board of Directors and Institute, resulting in a document titled *The IIHR’s vision of human rights and democracy and of its mission*. Beyond affirming the indivisible link between effective democracy and the fundamentals of human rights, it examines the authoritative tendencies that persist within many legitimately elected governments in the region, as well as other limitations characterized by insufficiently democratic regimes.

In essence, the research was aimed at identifying and reflecting on the major weaknesses of democracy in the Americas. It sketched an overview which recognized that wealth is unequally distributed on the planet, racial and cultural segregation have grave consequences for discrimination against indigenous peoples and afro-descendant communities, political parties operate scandalously as groups that defend private interests and not those of a citizenry with different political positions, and –in virtue of an inheritance from the pre-European period of our history– presidentialism has become a type of “sultanism” in which authorities feel entitled to act outside the law. It also acknowledged that judicial power carries the weight of

centuries, state institutions are virtually absent from vast areas thus allowing gangs and organized crime to operate freely and assume authority, citizen security has disappeared in all cities, and where the condition of “citizenship”, with its inherent rights, has been deliberately withheld from the people.

Two decades after the initial “transition to democracy” in the Americas, these challenges remain as obstacles in the face of human rights.

A RENEWED FOCUS

In 1999, Mr. Méndez was asked to join the Inter-American Human Rights Commission and having accepted, the IIHR designated Roberto Cuéllar M. to the position of Executive Director in 2000. He has since been reappointed for a second term and sits as current Executive Director.

Reaffirming two decades of work in the promotion of human rights and democracy in the Americas, the IIHR has given continuity to institutional programs that offer identity and legitimacy, while adapting to change through responsive reform.

Four general and closely connected principles of rights fused into a strategic framework of the IIHR: access to justice, political participation, human rights education as a human right and economic, social and cultural rights. This framework also defined that all institutional programs would incorporate ethnic and cultural diversity, gender, and civil society participation as cross-cutting perspective. The point of departure for most initiatives in human rights education was youth, focused specifically on those between 10 and 14 years. In order to realize this objective, a reorganization of the IIHR seemed necessary and as a result, three operational departments and five supporting units emerged.

Following this, the nature and mission of CAPEL was revisited, resulting in the “relaunch” of the program.

Strengthening its pre-existing connections to regional electoral bodies, CAPEL also made an effort to work with other actors involved in representative democracy. Horizontal cooperation between electoral bodies acquired increased importance during this time and as its role grew, so did the associated challenges. In response, new information and communication technologies became a valuable tool alongside CAPEL's other established resources (electoral observation missions, Inter-American Courses for Elections and specialized publications).

The Inter-disciplinary Course in Human Rights has become increasingly institutionalized, emerging as a culmination of a process that develops throughout the year. Moreover, the IIHR has systemized its experience over the last 25 years in the area of human rights education and is now looking to create "program-types" which are adaptable to different educational levels, national contexts and pedagogical directions. In recent years it has made a particularly significant effort to extend and improve the higher learning of human rights through certificate programs put in place by accords with over 50 universities.

After the crisis that many human rights organizations experienced during the 1990s, the emphasis has shifted in recent years to the organization and facilitation of influential political processes, including civil society. Several examples illustrate this well:

Using the OAS General Assembly to its advantage, the IIHR has brought together numerous organizations, simultaneous to Assembly sessions, for specialized academic discussions addressing the OAS from the perspective of participating organizations.

In association with the Inter-American Commission of Human Rights and CEJIL, the IIHR has initiated a training program for female lawyers to assist their preparation of cases dealing with the violation of women's rights brought before the Commission.



IIHR Executive Director, Roberto Cuéllar M., inaugurates the XXIII Interdisciplinary Course in Human Rights (18-29 July 2005 in San Jose, Costa Rica), accompanied by the Directors of the Institute.



Participants in the Twenty-third Interdisciplinary Course in Human Rights.

The continental campaign carried out by the IIHR to encourage the ratification of the Optional Protocol to CEDAW, which resulted in several ratifications from countries in the region.

An innovative area of the IIHR has definitely been applied research; recent activities have involved the design and implementation of a system of human rights progress indicators. The fundamental objective of such indicators is to provide accurate and current information, for both non-governmental and civil society-based organizations, with a view to making reliable information available to both sectors for planning objectives and designing policies. The system was applied initially to only six countries but was quickly expanded to all 19 nations of the hemisphere. Research topics are the same as those in the strategic framework: access to justice, political participation, human rights education and economic, social and cultural rights.

Thanks to the formidable alumni network of the 23 Interdisciplinary Courses in Human Rights, information relating to these topics has been updated regularly such that human rights “maps” have been created, revealing emerging tendencies across the continent. Research results relative to human rights education are published and distributed annually in a symbolic act that takes place on December 10, International Human Rights Day, in the 19 countries included in the report.

This is a valuable decision-making tool for policy development, as demonstrated in the adoption of various resolutions at the OAS General Assembly.

In the last quarter century, the IIHR’s institutional communication has increasingly relied on technology. The IIHR website, for example, hosts several specialized fora and regulated discussion lists which are continuously updated. In addition to the Institute’s bi-weekly newsletter, the IIHR currently sends other bulletins via email and recently put into use the “Inter-American Virtual Classroom”, a section on the website dedicated to offering

online courses on human rights, for self-guided and teacher-lead learning.

In recent years, the IIHR has also strengthened its relationship with the Court and the Inter-American Commission on Human Rights, positioning itself as an important auxiliary body in the inter-American human rights system, particularly in the areas of promotion and education. The renewal and affirmation of this commitment is reflected in the statute reform adopted in 2005, converting the Board of Directors into the General Assembly, in which former commissioners and judges are current members.

All of this work has been realized in a convulsive environment, both in international and regional plans, where challenges are numerous.

Thus, although the two periods introduced in this overview were distinct, there is no doubt that with regard to human rights and democracy, today's challenges are as enormous as those which confronted the hemisphere when the IIHR was first created.

AN UNFINISHED PLEDGE

If the IIHR made a significant contribution to democratic transition in the 1980s and democratic institutionalization during the 1990s, there exists solid evidence to believe that this work can continue under evolving circumstances.

This brings to mind the words of Professor Buergenthal, who confessed some time ago, with his usual simplicity:

“I also could not imagine how the Institute would develop. I had very modest plans and acts, my experience had been that you construct brick by brick, and avoid initiating grandiose plans that don't work. So that if you think that I had such big ideas in relation to what it became, forget it”.

Reaffirming the IIHR's statutes –which establish an irrefutable link between democracy, the protection of human

rights and the rule of law– the IIHR will continue to advocate for the construction of democracy in the Americas through a human rights agenda. This platform will consider political rights, the inclusion of groups historically relegated or excluded, and human rights education as effective tools in the construction of a responsible and participative citizenry within representative democracy. In other words, the respect and protection of human rights –all human rights of all people– is the path toward building true democracies in the hemisphere. A better parameter does not exist; democratic are the nations which have pledged to increase the gamut of human rights effectively enjoyed by citizens, not simply those offering suffrage for electing government. Between the two conceptions of democracy opens an abyss and in response to this challenge, the IIHR pledges its continued commitment.



On 25 April 2005 construction began on the Inter-American Human Rights Classroom, which will be completed in December 2005. This facility will provide the IIHR a physical space in which human rights training courses can be offered to various groups. Current IIHR headquarters do not have adequate space for such activities but with this classroom, educational and promotional activities will increase alongside the Institute's capacity to reach individuals and organizations.

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