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**ANNUAL REPORT
OF THE
INTER-AMERICAN COURT OF HUMAN RIGHTS**

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I. ORIGIN, STRUCTURE AND JURISDICTION OF THE COURT

A. ESTABLISHMENT OF THE COURT

The Inter-American Court of Human Rights (hereinafter “the Court” or the “Inter-American Court”) was created by the entry into force of the American Convention on Human Rights or the “Pact of San José, Costa Rica” (hereinafter “the Convention” or “the American Convention”), on July 18, 1978, when the eleventh instrument of ratification by a Member State of the Organization of American States (hereinafter “the OAS” or “the Organization”) was deposited. The Convention was adopted at the Inter-American Specialized Conference on Human Rights, which took place from November 7 to 22, 1969, in San José, Costa Rica.

The two organs for the protection of human rights provided for under Article 33 of the American Convention are the Inter-American Commission on Human Rights (hereinafter “the Commission” or “the Inter-American Commission”) and the Court. The function of these organs is to ensure the fulfillment of the commitments made by the States Parties to the Convention.

B. ORGANIZATION OF THE COURT

Under the terms of the Statute of the Court (hereinafter “the Statute”), the Court is an autonomous judicial institution with its seat in San José, Costa Rica, and its purpose is the application and interpretation of the Convention.

The Court consists of seven Judges, nationals of OAS Member States, who act in an individual capacity and are elected “from among jurists of the highest moral authority and of recognized competence in the field of human rights, who possess the qualifications required for the exercise of the highest judicial functions, in conformity with the law of the State of which they are nationals or of the State that proposes them as candidates” (Article 52 of the Convention). Article 8 of the Statute provides that the Secretary General of the Organization of American States shall request the States Parties to the Convention (hereinafter “States Parties”) to submit a list of their candidates for the position of judge of the Court. In accordance with Article 53(2) of the Convention, each State Party may propose up to three candidates.

The judges are elected by the States Parties for a term of six years. The election is by secret ballot. Judges are elected by an absolute majority vote in the OAS General Assembly immediately before the expiration of the terms of the outgoing judges. Vacancies on the Court caused by death, permanent disability, resignation or dismissal shall be filled, if possible, at the next session of the OAS General Assembly (Article 6(1) and 6(2) of the Statute).

Judges whose terms have expired shall continue to serve with regard to the cases they have begun to hear and that are still pending (Article 54(3) of the Convention).

If necessary, in order to maintain a quorum of the Court, one or more interim judges may be appointed by the States Parties (Article 6(3) of the Statutes). The judge who is a national of any of the States that are parties to a case submitted to the Court shall retain the right to hear the case. If one of the judges called to hear a case is a national of one of the States that are a party to the case, another State party in the same case may appoint a person to serve the Court as an *ad hoc* judge. If, among the judges called to hear a case, none of them is a national of the States parties to the case, each of the States parties may appoint an *ad hoc* judge (Article 10(1), 10(2) and 10(3) of the Statute).

States parties to a case are represented in the proceedings before the Court by the agents they designate (Article 21 of the Rules of Procedure).

The judges are at the disposal of the Court, which holds as many regular sessions a year as may be necessary for the proper discharge of its functions. Special sessions may also be called by the President of the Court (hereinafter “the President”) or at the request of the majority of the judges. Although the judges are not required to reside at the seat of the Court, the President shall render his services on a permanent basis (Article 16 of the Statute).

The President and Vice President are elected by the judges for a period of two years and may be reelected (Article 12 of the Statute).

There is a Permanent Commission of the Court (hereinafter “the Permanent Commission”) composed of the President, the Vice President and any other judges that the President considers appropriate, according to the needs of the Court. The Court may also create other commissions for specific matters (Article 6 of the Rules of Procedure).

The Secretariat functions under the direction of a Secretary, elected by the Court (Article 14 of the Statute).

C. COMPOSITION OF THE COURT

The following judges, listed in order of precedence, sat on the Court in 2000:

Antônio A. Cançado Trindade (Brazil), President
Máximo Pacheco Gómez (Chile), Vice President
Hernán Salgado Pesantes (Ecuador)
Oliver Jackman (Barbados)
Alirio Abreu Burelli (Venezuela)
Sergio García Ramírez (Mexico) and
Carlos Vicente de Roux Rengifo (Colombia).

The Secretary of the Court is Manuel E. Ventura Robles (Costa Rica) and the Deputy Secretary is Renzo Pomi (Uruguay).

Respondent States have exercised their right to appoint an *ad hoc* judge in six cases that are pending before the Court (Article 55 of the Convention). The following is the list of the *ad hoc* judges and the cases for which they were appointed:

Edgar E. Larraondo Salguero (Guatemala)	Paniagua Morales <i>et al.</i> case
Fernando Vidal Ramírez (Peru)	Cantoral Benavides, and Durand and Ugarte cases
Alejandro Montiel Argüello (Nicaragua)	Mayagna (Sumo) Awas Tingni Community case
Julio Barberis (Argentina)	Las Palmeras case
Charles N. Brower (United States)	Trujillo Oroza case

D. JURISDICTION OF THE COURT

The Convention confers contentious and advisory functions on the Court. The first function involves the power to decide cases in which it is alleged that one of the States Parties has violated the Convention and the second function involves the power of the Member States of the Organization to request that the Court interpret the Convention or “other treaties concerning the protection of human rights in the American States”. Within their spheres of competence, the organs of the OAS mentioned in its Charter may also consult the Court.

1. The Contentious Jurisdiction of the Court

Article 62 of the Convention, which establishes the contentious jurisdiction of the Court, reads as follows:

1. A State Party may, upon depositing its instrument of ratification or adherence to this Convention, or at any subsequent time, declare that it recognizes as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Court on all matters relating to the interpretation or application of this Convention.
2. Such declaration may be made unconditionally, on the condition of reciprocity, for a specified period, or for specific cases. It shall be presented to the Secretary General of the Organization, who shall transmit copies thereof to the other member states of the Organization and to the Secretary of the Court.
3. The jurisdiction of the Court shall comprise all cases concerning the interpretation and application of the provisions of this Convention that are submitted to it, provided that the States Parties to the case recognize or have recognized such jurisdiction, whether by special declaration pursuant to the preceding paragraphs, or by a special agreement.

Since States Parties may accept the Court's contentious jurisdiction at any time, a State may be invited to do so for a specific case.

According to Article 61(1) of the Convention “[o]nly the States Parties and the Commission shall have the right to submit a case to the Court.”

Article 63(1) of the Convention contains the following provision concerning the Court's judgments:

[i]f the Court finds that there has been a violation of a right or freedom protected by this Convention, the Court shall rule that the injured party be ensured the enjoyment of his right or freedom that was violated. It shall also rule, if appropriate, that the consequences of the measure or situation that constituted the breach of such right or freedom be remedied and that fair compensation be paid to the injured party.

Paragraph 2 of Article 68 of the Convention provides that: “[t]hat part of a judgment that stipulates compensatory damages may be executed in the country concerned in accordance with domestic procedure governing the execution of judgments against the State.”

Article 63(2) of the Convention indicates that:

[i]n cases of extreme gravity and urgency, and when necessary to avoid irreparable damage to persons, the Court shall adopt such provisional measures as it deems pertinent in matters it has under consideration. With respect to a case not yet submitted to the Court, it may act at the request of the Commission.

The judgment rendered by the Court is “final and not subject to appeal”. Nevertheless, “in case of disagreement as to the meaning or scope of the judgment, the Court shall interpret it at the request of any of the parties, provided the request is made within ninety days from the date of notification of the judgment” (Article 67 of the Convention). The States Parties “undertake to comply with the judgment of the Court in any case to which they are parties” (Article 68 of the Convention).

The Court submits a report on its work to the General Assembly at each regular session, and it “[s]hall specify, in particular, the cases in which a State has not complied with its judgments” (Article 65 of the Convention).

2. The Advisory Jurisdiction of the Court

Article 64 of the Convention reads as follows:

1. The member states of the Organization may consult the Court regarding the interpretation of this Convention or of other treaties concerning the protection of human rights in the American states. Within their spheres of competence, the organs listed in Chapter X of the Charter of the Organization of American States, as amended by the Protocol of Buenos Aires, may in like manner consult the Court.
2. The Court, at the request of a member state of the Organization, may provide that state with opinions regarding the compatibility of any of its domestic laws with the aforesaid international instruments.

The right to request an advisory opinion is not limited to the States Parties to the Convention. Any OAS Member State may request such an opinion.

Likewise, the advisory jurisdiction of the Court enhances the Organization's capacity to deal with questions arising from the application of the Convention, because it enables the organs of the OAS to consult the Court, within their spheres of competence.

3. Recognition of the Contentious Jurisdiction of the Court

Twenty one States Parties have recognized the contentious jurisdiction of the Court. They are: Costa Rica, Peru¹, Venezuela, Honduras, Ecuador, Argentina, Uruguay, Colombia, Guatemala, Surinam, Panama, Chile, Nicaragua, Paraguay, Bolivia, El Salvador, Haiti, Brazil, Mexico, the Dominican Republic and Barbados.

The status of ratification and accessions to the Convention can be found at the end of this report (Appendix LXI)

E. BUDGET

Article 72 of the Convention provides that "the Court shall draw up its own budget and submit it for approval to the General Assembly through the General Secretariat. The latter may not introduce any changes in it". Pursuant to Article 26 of its Statute, the Court administers its own budget.

F. RELATIONS WITH OTHER SIMILAR REGIONAL ORGANIZATIONS

The Court has close institutional links with the Commission. These ties have been strengthened through meetings between the members of the two bodies, held on the recommendation of the General Assembly (*infra* III). The Court also maintains close relations with the Inter-American Institute of Human Rights, established under an agreement between the Government of Costa Rica and the Court, which entered into force on November 17, 1980. The Institute is an autonomous, international academic institution, with a global, interdisciplinary approach to the teaching, research and promotion of human rights. The Court also maintains institutional relations with the European Court of Human Rights, which was established by the Council of Europe with similar functions to those of the Inter-America Court.

II. JURISDICTIONAL AND ADVISORY ACTIVITIES OF THE COURT

A. FORTY-SEVENTH REGULAR SESSION OF THE COURT

¹ In a communication of July 9, 1999, Peru presented a document to the General Secretariat of the OAS in Washington, D.C., in which it announced that "it withdrew its declaration of recognition of the optional clause of submission to the contentious jurisdiction of the Inter-American Court of Human Rights."

On January 31, 2001, Peru deposited with the General Secretariat of the OAS, the instrument by which it left without effect the communication of July 9, 1999, and fully re-established "the contentious jurisdiction of the Inter-American Court of Human Rights for the Peruvian State."

The Court held its Forty-seventh Regular Session from January 24 to February 4, 2000, at its seat in San José, Costa Rica, with the following members Antônio A. Cançado Trindade (Brazil), President; Máximo Pacheco Gómez (Chile), Vice President; Hernán Salgado Pesantes, (Ecuador); Oliver Jackman, (Barbados); Alirio Abreu Burelli, (Venezuela); Sergio García Ramírez, (Mexico); Carlos Vicente de Roux Rengifo, (Colombia). The following *ad hoc* judges participated in the respective cases: Charles N. Brower, appointed by Bolivia in the Trujillo Oroza case; Julio Barberis, appointed by Colombia in the Las Palmeras case; and Alejandro Montiel Argüello appointed by Nicaragua in the Mayagna (Sumo) Awas Tingni Community case. Also present were the Secretary of the Court, Manuel E. Ventura Robles and the Deputy Secretary, Renzo Pomi. During this session, the Court considered the following matters:

1. **Cesti Hurtado Case (Peru):** *Order of the President of January 17, 2000.* On January 17, 2000, the President of the Inter-American Court issued an Order (**Appendix I**) in which he decided “[t]o maintain the public hearing to be held on January 25, at 10.00 a.m., at the seat of the Inter-American Court of Human Rights, to hear the opinions of the State and the Inter-American Commission on the request for interpretation of the judgment on merits filed by the State in the Cesti Hurtado case”, after Peru had requested the Court to suspend this hearing.

The public hearing on the request for interpretation of the meaning and scope of the judgment on merits of September 29, 1999, filed by the Peruvian State on October 13, 1999, was held on January 25, 2000, at 10.00 a.m., at the seat of the Inter-American Court of Human Rights. The representatives of the Inter-American Commission and Peru were present.

Interpretation of the Judgment on Merits. On January 29, 2000, the Court pronounced the judgment on interpretation of the judgment on merits (Article 67, American Convention on Human Rights) (Appendix II) in which it unanimously decided: 1. That only the first, second, third and fourth points of the request for interpretation of the judgment of September 29, 1999, in the Cesti Hurtado case, filed by Peru, are admissible. 2. That the first and eighth finding of the judgment of September 29, 1999, in which the Inter-American Court ordered the State to comply with the decision of the Chamber of Public Law of Lima of February 12, 1997, and to annul the proceeding, and well as all the effects deriving from it, are of an obligatory nature and, therefore, should be complied with immediately, although this does not prevent the competent authorities from adopting decisions on Mr. Cesti Hurtado's criminal responsibility with regard to the illegal acts that are attributed to him. 3. That the eighth finding of the judgment of September 29, 1999, by which the Court ordered the annulment of the proceeding against Mr. Cesti Hurtado implies the invalidation of all the legal effects of this, including the invalidation of the embargoes decreed on his property. 4. That it is not in order for the Inter-American Court to make a pronouncement on the applicability of its judgments in hypothetical future situations and that, in this case, the appropriateness of the remedy of habeas corpus as a procedural measure to define whether the detention of Mr. Cesti Hurtado was of an arbitrary nature was clearly and duly established by the Court in its judgment of September 29, 1999.

2. **Trujillo Oroza Case (Bolivia):** *Preliminary Objections.* During this session, the Court deliberated on the State's brief of January 21, 2000, in which it withdrew the preliminary objections it had filed and requested the Court to open the Reparations stage. As a result of these deliberations, the Court issued an Order (Appendix III) on January 25, 2000, in which it decided to consider that the

preliminary objects filed by the State of Bolivia had been withdrawn and to continue processing the merits of the case.

Merits. On January 25, 2000, the Court held a public hearing in order to consider the State's brief of January 21, 2000. At this hearing, Bolivia recognized the facts and its international responsibility in this case and accepted the legal consequences that derive from the facts, and the Inter-American Commission expressed its satisfaction regarding the attitude assumed by the State. Consequently, on January 26, 2000, in its judgment (**Appendix IV**), the Court decided to admit the State's acceptance of the facts and recognition of international responsibility; to declare that the State violated the rights protected by Articles 1(1), 3, 4, 5(1), 7, 8(1) and 25 of the American Convention to the detriment of José Carlos Trujillo Oroza and his next of kin, in accordance with the terms of the State's recognition of responsibility and the Commission's request in its application brief; to open the procedure on reparations and to authorize the President to adopt the corresponding measures.

Reparations. On January 27, 2000, the President of the Court issued an Order (**Appendix V**) in which he granted the parties a period of 60 days to present any available evidence and arguments to help determine reparations in this case.

3. Villagrán Morales *et al.* Case (the “Street Children” Case) (Guatemala): *Reparations.* On January 20, 2000, the President issued an order on the reparations stage of this case (Appendix VI) in which he granted a period for the victims' next of kin or, if applicable, their legal representatives, the Inter-American Commission and Guatemala, to present any available evidence and arguments to determine reparations and costs.
4. **Baena Ricardo *et al.* Case (Panama):** *Merits.* On January 26, 27 and 28, 2000, the Court held a public hearing on the merits of this case and listened to the witnesses and expert witnesses proposed by the parties, who gave testimony on their knowledge about the facts of the application. The Court also heard the final oral arguments of the Inter-American Commission and the State of Panama.
5. **Mayagna (Sumo) Awas Tingni Community Case (Nicaragua):** *Preliminary Objections.* On February 1, 2000, the Inter-American Court pronounced judgment on preliminary objections in the Mayagna (Sumo) Awas Tingni Community case (**Appendix VII**), in which it unanimously decided: 1. To dismiss the preliminary objection that domestic remedies had not been exhausted, filed by the State of Nicaragua; and 2. To continue hearing this case. Judge Montiel Argüello informed the Court of his Concurring Opinion, which accompanied the judgment.
6. **Colotenango Case (Guatemala):** *Provisional Measures.* In an Order of February 2, 2000 (**Appendix VIII**), the Court decided to expand the measures adopted in the Colotenango case to protect Viviana Rucux Quilá. In the said Order, it called upon the State to provide information urgently on the specific measures that will adopt to comply with the provisional measures and to include information on the investigation and punishment of those responsible for the facts of the case, and also on the alleged threats against Francisca Sales Martín, Natividad Pérez, María García Domingo, Alberto Godínez, Marcos, Juan and Ramiro Godínez Pérez, Alfonso Morales Jiménez and Arturo Federico Méndez Ortiz. It also called upon Guatemala to include a detailed description

of the measures of protection provided to Patricia Ispanel Medinilla, Fermina López Castro, Gonzalo Godínez López, Arturo Federico Méndez Ortiz and Juan Mendoza in its next report.

7. Las Palmeras Case (Colombia): Preliminary Objections. In its judgment of February 4, 2000, **(Appendix IX)**, the Court dismissed the first, fourth and fifth preliminary objections filed by the State of Colombia in this case; it admitted the second and the third objection presented by the State and decided to continue hearing the case. Judges Cançado Trindade and García Ramírez informed the Court of their respective Opinions and Judge Jackman, of his Partially Dissenting Opinion, which accompany the judgment.

With regard to this case, on September 14, 2000, the President issued an Order **(Appendix X)**, in which he ordered that the three witnesses proposed by the Commission should be summoned, at the appropriate time. The same day, the President issued another Order **(Appendix XI)**, in which he ordered the exhumation of the bodies of the persons identified as N/N Moisés and Hernán Lizcano Jacanamejoy; to this end, he appointed the experts, Darío Olmo and Silvana Turner, with the presence of an official of the Court, an agent of the State and the delegates of the Commission or the persons that they designate.

On November 11, 2000, the President issued an Order **(Appendix XII)**, in which he expanded the period for conducting the exhumations until the exact place where the corpses mentioned above has been located, and called on the Commission and the State to provide the Court with the relevant information.

8. Other matters

The Court considered various administrative matters and also measures with regard to pending matters. Furthermore, it considered the reports presented by the States with regard to which it had adopted provisional measures and the Inter-American Commission's observations on these reports, and issued the orders that it considered pertinent in this respect. The Court also revised and adopted its 1999 Annual Report, which was submitted to the consideration of the General Assembly of the OAS during its thirtieth regular session (*infra* III. H).

B. FORTY-EIGHTH REGULAR SESSION OF THE COURT

From August 7 to 18, 2000, the Inter-American Court held its Forty-eighth Regular Session, at its seat in San José, Costa Rica. The composition of the Court was as follows: Antônio A. Cançado Trindade (Brazil), President; Máximo Pacheco Gómez (Chile), Vice President; Hernán Salgado Pesantes (Ecuador); Oliver Jackman (Barbados); Alirio Abreu Burelli (Venezuela), Sergio García Ramírez (Mexico) and Carlos Vicente de Roux Rengifo (Colombia). The following *ad hoc* judges Edgar Larraondo Salguero, appointed by Guatemala for the Paniagua Morales *et al.* case, and Fernando Vidal Ramírez, appointed by Peru for the Cantoral Benavides, and Durand and Ugarte cases took part in the respective proceedings. Also present were the Secretary of the Court, Manuel E. Ventura Robles and the Deputy Secretary, Renzo Pomi. The following matters were considered:

1. **Haitians and Dominicans of Haitian Origin in the Dominican Republic Case: *Provisional Measures.*** On August 7, 2000, the Court issued an Order (Appendix XIII) relating to two “expert witnesses” proposed by the Inter-American Commission and objected to by the Dominican Republic, who were to declare in the public hearing on the situation of Haitians and Dominicans of Haitian origin in the Dominican Republic, of August 8, 2000, in regard to the Commission's request for provisional measures in favor of the said persons, which was submitted to the Court on May 30, 2000. The Court decided to summon Father Pedro Ruquoy and Solange Pierre to make a testimonial statement at the said public hearing. On August 8, 2000, at 10.00 a.m., the Court held this public hearing to receive the testimonial statements and to hear the points of view of the Inter-American Commission and the Dominican Republic about the facts and circumstances.

On August 18, 2000, the Court issued an Order (Appendix XIV), in which it decided “[t]o call on the State of the Dominican Republic to adopt, without delay, whatever measures are necessary to protect the life and personal integrity of Benito Tide Méndez, Antonio Sension, Andrea Alezy, Janty Fils-Aime and William Medina Ferreras”. It also called on the Inter-American Commission to provide detailed information to the Court on August 31, 2000, at the latest, about the current situation of Rafaelito Pérez Charles and Berson Gelim, in relation to the divergent affirmations of the parties concerning these two people.

Furthermore, it decided “[t]o call on the State of the Dominican Republic to abstain from deporting or expelling from its territory Benito Tide Méndez and Antonio Sension”; that it allow the immediate return to its territory of Janty Fils-Aime and William Medina Ferreras and, as soon as possible, the family reunification of Antonio Sension and Andrea Alezy with their children, minors, in the Dominican Republic; that it collaborate with Antonio Sension to obtain information about the whereabouts of his family in Haiti or in the Dominican Republic. Likewise, that in the framework of the pertinent cooperation agreements between the Dominican Republic and Haiti, it investigate the situation of Janty Fils-Aime and William Medina Ferreras under the supervision of the Inter-American Commission to accelerate the results of these investigations; and that it continue monitoring the investigations initiated by its authorities concerning Benito Tide Méndez, Rafaelito Pérez Charles, Antonio Sension, Andrea Alezy and Berson Gelim. It also ordered that the said State should adopt, without delay, any measures necessary to protect the life and personal integrity of Father Pedro Ruquoy and Solange Pierre, witnesses at the public hearing of August 8, 2000.

It then called on the State of the Dominican Republic and the Inter-American Commission to provide the Court with detailed information on the situation of the members of the border communities or “bateys” who could be forcibly repatriated, deported or expelled. Lastly, it called on the State of the Dominican Republic to inform the Court, every two months from the notification of the Order, on the provisional measures adopted in compliance with the Order; and on the Inter-American Commission to submit its observations on the reports of the State of the Dominican Republic within six weeks of receiving them. Judge Cançado Trindade presented his Concurring Opinion, which accompanied the Order of the Court.

2. **Cesti Hurtado Case (Peru): *Reparations.*** On August 10, 2000, at 10:00 a.m., the Court held a public hearing on reparations in this case, at its seat. The Court heard the arguments on compensation and expenses of the representative of the victim, the Inter-American Commission and

the State of Peru, since on September 29, 1999, the Court had pronounced a judgment on merits in this case and unanimously decided, “that the Peruvian State is obliged to pay fair compensation to Gustavo Adolfo Cesti Hurtado and to indemnify him for any expenses that he may have incurred in steps related to this proceeding.”

3. Hilaire Case (Trinidad and Tobago): Preliminary Objections. On August 10, 2000, at 4.00 p.m., at its seat, the Court held a public hearing on the preliminary objection filed by the State of Trinidad and Tobago. This objection, refuted by the Inter-American Commission, was founded on the lack of competence of the Court to hear this case due to a reserve made by Trinidad and Tobago, when recognizing the contentious jurisdiction of the Court, according to which, this recognition was only made inasmuch as it was compatible with the State's Constitution.

4. Álvarez et al. Case (Colombia): Provisional Measures. On August 10, 2000, the Court issued an Order (**Appendix XV**) in which it decided to maintain the provisional measures adopted in this case in favor of members of the Association of Relatives of Detained and Disappeared Persons of Colombia and to ratify the Order of its President of July 17, 2000 (**Appendix XVI**), in which he expanded these measures to protect the right to life and personal integrity of the members of the Barrancabermeja branch of the said Association: Luz Elsie Almanza, Hilda Rosario Jiménez, Ramón Rangel, Robinson Amador, Yamel López, Emely Pérez, Yolanda Salamanca, Rosa Tulia Bolaños, Rocío Campos and Alexander Rodríguez.

5. Paniagua Morales et al. Case (Guatemala): Reparations. On August 11 and 12, 2000, at 10:00 a.m., at its seat, the Court held a public audience on reparations in this case. During the hearing, the Court heard the points of view of the victims' next of kin, the Inter-American Commission and the State of Guatemala, concerning compensation and expenses, and also the statements of the witnesses and expert witnesses, since, on March 8, 1998, the Court had pronounced judgment on the merits in which it unanimously decided, “that the State of Guatemala is obliged to make reparation for the consequences of the declared violations and pay fair compensation to the victims, and, where appropriate, to their next of kin.”

6. Clemente Teherán et al. Case (Colombia): Provisional Measures. The Court studied the reports submitted by the State of Colombia and the Inter-American Commission on the provisional measures adopted by the Court in this case and, on August 12, 2000, issued an Order (**Appendix XVII**) in which it decided to call on the State of Colombia to maintain all the measures necessary to protect the life and personal integrity of Rosember Clemente Teherán and the other protected persons, in strict compliance with the obligation to respect and guarantee human rights to which it is committed pursuant to Article 1(1) of the American Convention. Moreover, it called on the State to continue investigating the facts denounced which gave origin to these measures in order to obtain effective results that would lead to the identification and punishment of those responsible.

The Court also called on the Inter-American Commission to provide it with detailed information on the status of the provisional measures and the situation of all the protected persons, once it had established contact with them.

Lastly, it decided to call on the State of Colombia to continue presenting its reports on the provisional measures it had taken every two months, and on the Inter-American Commission to submit its observations on these reports within six weeks of receiving them.

7. **Cesti Hurtado Case (Peru): *Provisional Measures*.** On August 14, 2000, the Court issued an Order (**Appendix XVIII**) in which it lifted and terminated the provisional measures ordered by the Court in its Orders of September 11, 1997, and June 3, 1999, in favor of Gustavo Adolfo Cesti Hurtado, and also Carmen Judith Cardó Guarderas, Margarita del Carmen Cesti Cardó and Gustavo Cesti Cardó. In this Order, the Court considered that, according to statements by the Peruvian State and the Inter-American Commission, the circumstances of extreme gravity and urgency that had motivated the adoption of the provisional measures had ceased to exist, as was shown by the liberation of Mr. Cesti Hurtado and by the fact that his security and that of his family did not appear to be at risk.

8. **Constitutional Court Case (Peru): *Provisional Measures*.** Based on Article 63(2) of the American Convention on Human Rights and using the attributes conferred on him by Article 25(4) of its Rules of Procedure, the President of the Court, after consulting all the Judges of the Court, had resolved, in an Order of April 7, 2000 (**Appendix XIX**), “[t]o call on the State to adopt without delay all necessary measures to effectively ensure the physical, mental and moral integrity of Delia Revoredo Marsano de Mur, petitioner in the Constitutional Court case before this Court, to ensure the effectiveness of any provisional measures that the Inter-American Court of Human Rights may subsequently decide to order.”

On August 14, 2000, the Court issued an Order (**Appendix XX**) in which it decided to ratify the Order of its President of April 7, 2000, and, consequently, “to call on the State [of Peru] to adopt the necessary measures to protect the physical, mental and moral integrity of Delia Revoredo Marsano de Mur, in order to avoid irreparable damage to her.”

9. **James *et al.* Case (Trinidad and Tobago): *Provisional Measures*.** On August 16, 2000, the Inter-American Court issued an Order (**Appendix XXI**) in which it decided to order Trinidad and Tobago to maintain the provisional measures ordered by the Court on June 14, 1998, August 29, 1998, May 25, 1999, May 27, 1999, and September 25, 1999, in favor of Wenceslaus James *et al.*, so as not to interrupt the processing of their cases before the inter-American system. It also called on Trinidad and Tobago to provide information to the Court, by August 31, 2000, at the latest, on the circumstances that led to the execution of Joey Ramiah, so that the Court could consider this information and include it in its next report to the General Assembly of the Organization of American States.

It also called on the Inter-American Commission to present detailed information on the status of the cases of Anderson Noel, Christopher Bethel, Kevin Dial, Andrew Dottin and Anthony Johnson, by August 31, 2000.

Furthermore, it exhorted the State to present reports on the status of the scheduled executions and appeals of the persons protected; and it called on the Inter-American Commission to forward its observations on these reports to the Court within six weeks of receiving them.

Lastly, it exhorted Trinidad and Tobago and the Inter-American Commission to immediately inform the Court about any pertinent development with regard to the situation of Wenceslaus James and the other persons protected by these provisional measures.

10. Durand and Ugarte Case (Peru): Merits. During this session, the Court deliberated on this case and, on August 16, 2000, pronounced judgment on the merits (**Appendix XXII**) in which it unanimously decided “to find that the State violated Article 4(1) of the American Convention on Human Rights, to the detriment of Nolberto Durand Ugarte and Gabriel Pablo Ugarte Rivera.” Also, by six votes to one, it decided “to find that it ha[d] not been proved that the State violated Article 5(2) of the American Convention on Human Rights, to the detriment of Nolberto Durand Ugarte and Gabriel Pablo Ugarte Rivera.”

The Court unanimously declared that the State violated Articles 7(1), 7(5), 7(6) and 25(1) of the American Convention, to the detriment of Nolberto Durand Ugarte and Gabriel Pablo Ugarte Rivera.

Also, unanimously, it declared that the State violated Articles 8(1) and 25(1) of the American Convention and failed to comply with the general obligations of Articles 1(1) and 2 of the Convention, in connection with the substantive rights indicated in the findings of this judgment, to the detriment of Nolberto Durand Ugarte and Gabriel Pablo Ugarte Rivera, and of their next of kin. It also decided that the State was obliged to make all possible efforts to locate and identify the remains of the victims and hand them over to their next of kin, and also to investigate the facts and prosecute and punish those responsible, and that the State must repair the damages caused by the violations and open the reparations stage; to this end, it authorized its President to adopt the necessary measures at the appropriate time.

Judge de Roux Rengifo informed the Court of his Partially Dissenting Opinion and Judge Vidal Ramírez informed the Court of his Opinion, which accompanied the judgment.

After the session, on September 13, 2000, the President issued an Order on the reparations stage in this case (**Appendix XXIII**) in which he granted a certain period of time to the representative of the victims or, when appropriate, their next of kin, to the Commission and to Peru, to submit their arguments and any available evidence to determine reparations and costs.

11. Cantoral Benavides Case (Peru): Merits. During this session, on August 18, 2000, the Court pronounced judgment on the merits of this case. In this judgment (**Appendix XXIV**), it declared unanimously that the State had violated Articles 5(1), 5(2), 7(1), 7(2), 7(3), 7(4), 7(5), 8(1), 8(2), 8(2)c), 8(2)d), 8(2)f), 8(2)g) and 8(3) of the American Convention, to the detriment of Luis Alberto Cantoral Benavides.

It also declared, by seven votes to one, that the State violated Article 8(5) and Article 9 of the American Convention.

Furthermore, it declared unanimously that the State violated Articles 7(6) and 25(1) of the Convention, and that it had failed to comply with the general obligations of Articles 1(1) and 2 of

the said Convention, in connection with the violations of the substantive rights indicated in the findings of this judgment, to the detriment of Luis Alberto Cantoral Benavides.

Similarly, the Court declared that the State violated Articles 2, 6 and 8 of the Inter-American Convention to Prevent and Punish Torture, to the detriment of Luis Alberto Cantoral Benavides. Lastly, it decided unanimously that the State must order an investigation to determine the persons responsible for the human rights violations referred to in this judgment and punish them; that the State must repair the damages caused by the violations, and open the reparations stage; to this end, it authorized its President to adopt the necessary measures, at the appropriate time. Judge Vidal Ramírez informed the Court of his Partially Dissenting Opinion, which accompanies the judgment.

On September 13, 2000, the President issued an Order on the reparations stage in this case (**Appendix XXV**), granting the victim, or, if appropriate, his representatives or next of kin, the Commission and the State a certain period of time in which to present their arguments and any available evidence in order to determine reparations and costs.

12. Blake Case (Guatemala): Provisional Measures. The Court studied the reports presented by the State of Guatemala and the Inter-American Commission on the provisional measures adopted by the Court in this case and, on August 18, 2000, issued an Order (**Appendix XXVI**) in which it decided “to call on the State of Guatemala to maintain all necessary measures to protect the life and personal integrity of Justo Victoriano Martínez Morales, Floridalma Rosalina López Molina, Víctor Hansel Morales López, Edgar Ibal Martínez López and Sylvia Patricia Martínez López [..., and] to inform the Court about the measures it has taken to investigate the threats that the said persons have suffered, in accordance with the respective note of the Secretariat, in order to obtain effective results that lead to the discovery and punishment of those responsible”. Lastly, it called on the State of Guatemala “to continue presenting its reports on the provisional measures adopted every six months and on the Inter-American Commission to present its observations on these report within six weeks of receiving them.”

13. Mayagna (Sumo) Awas Tingni Community Case (Nicaragua): Merits. On August 18, 2000, the Court issued an Order (**Appendix XXVII**) in which it called on the State of Nicaragua to submit to the Court, by September 15, 2000, at the latest, the justification for the time-barred proposal of witnesses and expert witnesses in its brief of April 7, 2000, and that it should define which of the said persons would make statements as witnesses and which as expert witnesses.

14. Other matters

The Inter-American Court and the United Nations Development Programme (UNDP) held a joint activity on August 7, 2000, during which the *2000 Human Development Report* was presented to all Central America (*infra* III.P). Then, on August 18, 2000, at the seat of the Court, a cooperation agreement was signed between the Inter-American Court of Human Rights and the International Committee of the Red Cross (*infra* III.R). The Court also considered various administrative matters and processed some pending matters.

C. TWENTY-FOURTH SPECIAL SESSION OF THE COURT

From November 12 to 15, 2000, the Inter-American Court held its Twenty-fourth Special Session, at its seat, with the following members Antônio A. Cançado Trindade (Brazil), President; Máximo Pacheco Gómez (Chile), Vice President; Hernán Salgado Pesantes, (Ecuador); Oliver Jackman, (Barbados); Alirio Abreu Burelli, (Venezuela); Sergio García Ramírez, (Mexico); Carlos Vicente de Roux Rengifo, (Colombia). During this session, the Court considered the following matters:

1. **Bámaca Velásquez Case (Guatemala):** *Merits.* During the special session, the Court deliberated on the merits of the Bámaca Velásquez case and, on November 25, 2000 (**Appendix XLIV**), during its Forty-ninth Regular Session, the Court pronounced judgment on the merits of the case (*infra*. D.10). Judges Cançado Trindade, Salgado Pesantes, García Ramírez and de Roux Rengifo informed the Court of their Opinions, which accompany this judgment.

2. **Álvarez et al. Case (Colombia):** *Provisional Measures.* On November 12, 2000, the Court issued an Order (**Appendix XXVIII**) in which it decided to maintain the provisional measures adopted in this case in favor of the members of the Association of Relatives of Detained and Disappeared Persons of Colombia, and to ratify the Order of its President (**Appendix XXIX**), of October 11, 2000, expanding these measures to protect the right to life and personal integrity of the members of this Association, Ángel Quintero, Claudia Patricia Monsalve, Marta Soto, Silvia Quintero, Gloria Herney Galíndez, Gladys Ávila and Rocío Bautista. Likewise, in this Order, he requested the State to investigate the facts denounced by the Commission which caused these measures to be adopted and, in particular, to determine the whereabouts of Angel Quintero and Claudia Patricia Monsalve and identify and punish those responsible for the said acts.

3. **Haitians and Dominicans of Haitian Origin in the Dominican Republic Case:** *Provisional Measures.* On November 12, 2000, the Inter-American Court issued an Order (**Appendix XXX**) in which it decided to ratify the Order of the President of the Court of September 14, 2000 (**Appendix XXXI**), and, consequently, called on the State of the Dominican Republic to adopt, without delay, whatever measures were necessary in order to protect the personal integrity of Rafaelito Pérez Charles and Berson Gelim; to abstain from deporting Rafaelito Pérez Charles or expelling him from its territory; to permit the immediate return to its territory of Berson Gelim and, accordingly, also to make it possible for him to be reunited with his son; to continue monitoring the investigations which had been initiated by the competent authorities with regard to Rafaelito Pérez Charles and Berson Gelim; and, in its reports on the provisional measures ordered by the Court in its Order of August 18, 2000 (**Appendix XIV**), to also provide information about the provisional measures that it has adopted in compliance with this Order. Likewise, it called on the Inter-American Commission to present its observations on the State's reports within six weeks of receiving them. Judge Cançado Trindade presented his Concurring Opinion, which accompanied the Order of the Court.

4. Other matters

On November 12, 2000, as the result of a note addressed to the President of the Court, Judge Cançado Trindade, by the Minister for Foreign Affairs of the United Mexican States, Rosario Green Macías (**Appendix XXXII**), regarding the imminent execution in the State of Texas, United States,

of the Mexican national, Miguel Angel Flores Rangel, the President of the Court sent a note in reply in which he expressed his concern about the matter, which was closely related to Advisory Opinion No. 16, issued by the Court on “The Right to Information on Consular Assistance within the Framework of the Guarantees of the Due Process of Law (**Appendix XXXIII**)”.

The same day, in a note addressed to the Secretary General of the Organization of American States, César Gaviria Trujillo, the entire Court expressed its opinion on aspects of cases being processed before the Court concerning the State of Peru (**Appendix XXXIV**). In particular, the Court indicated to the Secretary General that, on August 24, 2000, Peru had proceeded to return the application presented by the Commission in the Barrios Altos case, an attitude that the Court considered inadmissible. The Court also referred to communications of this State regarding compliance with decisions in the Neira Alegría *et al.* and Cesti Hurtado cases, and also to the fact that Peru had still not complied with the judgments in the Castillo Páez, Loayza Tamayo and Castillo Petrucci *et al.* cases. In view of the Court's profound concern about this situation, it requested the Secretary General to submit its communication to the Permanent Council and the General Assembly of the Organization, as soon as possible.

D. FORTY-NINTH REGULAR SESSION OF THE COURT

From November 16 to 25, 2000, the Inter-American Court held its Forty-ninth Regular Session at its seat, with the following members: Antônio A. Cançado Trindade (Brazil), President; Máximo Pacheco Gómez (Chile), Vice President; Hernán Salgado Pesantes, (Ecuador); Oliver Jackman, (Barbados); Alirio Abreu Burelli, (Venezuela); Sergio García Ramírez, (Mexico); Carlos Vicente de Roux Rengifo, (Colombia). The Judge Alejandro Montiel Argüello participated *as ad hoc* judge in the respective case appointed by Nicaragua in the Mayagna (Sumo) Awas Tingni Community case. Also present were the Secretary of the Court, Manuel E. Ventura Robles and the Deputy Secretary, Renzo Pomí. During this session, the Court considered the following matters:

1. Comunidad de Paz de San José de Apartadó Case (Colombia): *Provisional measures.* On November 16, 2000, at 8:30 a.m., a public hearing was held in order to hear the points of view of the Inter-American Commission and the State of Colombia about the circumstances that motivated the request for provisional measures presented by the Commission in favor of the inhabitants of the Comunidad de Paz de San José de Apartadó, on October 3, 2000.

On November 24, 2000, the Inter-American Court issued an Order (**Appendix XXXVI**) in which it decided to ratify the Order of the President of the Court of October 9, 2000 (*infra* F. 3) and (**Appendix XLVI**) is to protect the life and personal integrity of 189 members of the said Community. It also decided to call on the State of Colombia to adopt, without delay, all necessary measures to protect the life and personal integrity of all the other members of the Comunidad de Paz de San José de Apartadó, to investigate the facts that motivated the adoption of these provisional measures in order to identify those responsible and impose the corresponding punishments, and to provide information on the situation of the persons previously mentioned. Likewise, it ordered the State to adopt, without delay, all necessary measures to ensure that the persons benefiting from these measures may continue to live in their habitual residence, and to ensure the necessary conditions so that those members of the Comunidad de Paz de San José de

Apartadó, who have been forced to displace themselves to other regions of the country, may return to their homes.

It also called on the State of Colombia to allow the petitioners to participate in the planning and implementation of the measures and, in general, to keep them informed about any progress in the measures dictated by the Court, and also to provide information to the Court about the provisional measures adopted to comply with this Order, every two months from its notification.

Lastly, it called on the Inter-American Commission to present its observations on the State of Colombia's reports within six weeks of receiving them.

Judges Abreu Burelli and García Ramírez informed the Court of their Concurring Opinion, which accompanied the Order.

2. Mayagna (Sumo) Awas Tingni Community Case (Nicaragua): *Merits.* On November 16, 17 and 18, 2000, at its seat, the Court held a public hearing on the merits of this case, in order to hear the witnesses and expert witnesses proposed by the parties, who made statements on what they knew about the facts of the application and other related issues.

3. Ivcher Bronstein Case (Peru): *Merits.* On November 20 and 21, 2000, at its seat, the Court held a public hearing on the merits of this case, in order to hear the witnesses and expert witnesses proposed by the Commission, who made statements on what they knew about the facts of the application and other related issues. Also, on November 21, 2000, the Court issued an Order (**Appendix XXXVII**) in which it adopted provisional measures in this case. In this Order, it decided to call on the State of Peru to adopt, without delay, all necessary measures to protect the physical, mental and moral integrity and the right to a fair trial of Baruch Ivcher Bronstein, his wife, Noemí Even de Ivcher, and his daughters, Dafna Ivcher Even, Michal Ivcher Even, Tal Ivcher Even and Hadaz Ivcher Even. In the same way, it decided to call on the State to adopt, without delay, all necessary measures to protect the physical, mental and moral integrity and the right to judicial guarantees of Rosario Lam Torres, Julio Sotelo Casanova, José Arrieta Matos, Emilio Rodríguez Larraín and Fernando Viaña Villa. Likewise, it called on Peru to inform the Court, by December 5, 2000, at the latest, of the provisional measures that it had adopted in compliance with this Order, and that, from then on, it continue presenting its reports every two months.

In the same way, it decided to call on the Inter-American Commission to present its observations on the State of Peru's reports within six weeks of receiving them.

On November 23, 2000, the Court issued a second Order (**Appendix XXXVIII**) in which it decided to call on the State of Peru to adopt, without delay, all necessary measures to protect the physical, mental and moral integrity and the right to a fair trial of Menachem Ivcher Bronstein and Róger González. Likewise, it called on the State, in its first report on the provisional measures ordered by the Court on November 21, 2000, to provide information also on the urgent measures that it had adopted in compliance with this Order and that, from then on, it should continue to present its reports every two months.

Lastly, it decided to call on the Inter-American Commission to present its observations on the State of Peru's reports within six weeks of receiving them.

4. **Constitutional Court Case (Peru):** *Merits.* On November 22, 2000, at 9:00 a.m., at its seat, the Court held a public hearing on the merits of this case and heard the witness and the expert witnesses proposed by the Commission, who made statements on what they knew of the facts of the application. Likewise, the Court heard the final oral arguments of the Inter-American Commission.

5. **Villagrán Morales *et al.* Case (Guatemala):** *Reparations.* On November 15, 2000, the Inter-American Court issued an Order (**Appendix XXXIX**) in which it decided to call on the State to forward the Court any information it had on the actual place of residence or work or any other place where the next of kin of Federico Clemente Figueroa Túnchez and Jovito Josué Juárez Cifuentes could be found. It also decided to call on the State to advise the said persons who are under its jurisdiction, through the mass media (the press, radio and television), that the Court has pronounced judgment on the merits of the Villagrán Morales *et al.* case (the “Street Children” case) and that they should communicate with the Court as soon as possible.

It also decided to instruct the Secretariat of the Court so that, as soon as it receives the addresses and information to locate the victims and their next of kin in this case, it notifies them of the judgment on merits and any other information necessary to comply with Articles 23 and 57 of the Court's Rules of Procedure.

6. **El Amparo Case (Venezuela):** *Supervision of compliance with the judgment.* On November 20, 2000, the Court issued an Order (**Appendix XL**) in which it urged the State of Venezuela and the Inter-American Commission to reach an agreement on the following aspects of compliance with the judgment on reparations on which they disagree: the exchange rate used to calculate any payments made; the validity of the releases signed by some of the beneficiaries; payment of interests for the alleged delay; and non-pecuniary reparations, in particular, the implications on compliance of the judgment pronounced in the domestic jurisdiction by the *ad hoc* Court Martial. Likewise, it declared that, by June 1, 2001, at the latest, the State of Venezuela and the Inter-American Commission should present a final report to the Court on the elements of compliance that are in dispute.

7. **Garrido and Baigorria Case (Argentina):** *Supervision of compliance with the judgment.* On November 20, 2000, the Inter-American Court issued an Order (**Appendix XLI**) in which it called on Argentina to submit a final report to the Court, by January 29, 2001, at the latest, on the measures that it had taken to comply with those aspects of the judgment on reparations issued on August 27, 1998, that are still pending.

8. **Caracazo Case (Venezuela):** *Reparations.* On November 21, 2000, the Inter-American Court issued an Order (**Appendix XLII**) in which it called on the State of Venezuela to forward to the Court any information it had on the actual place of residence or work or any other place where the next of kin of Héctor Ortega Zapata, Boris Eduardo Bolívar Marcano, Jesús Alberto Cartaya, Héctor Lugo Cabriles, Elsa Ramírez Caminero, Sabas Reyes Gómez, Alís Flores Torres, Abelardo Antonio Pérez and Jesús Rafael Villalobos could be found. Furthermore, it called on the State to inform the said persons who are under its jurisdiction, through the mass media (the press, radio and television), that the Court has pronounced judgment on merits in the Caracazo case and that they should communicate with the Court as soon as possible.

It also instructed the Secretariat of the Court that as soon as it receives the addresses and information to locate the victims and their next of kin in this case, it should notify them of the judgment on merits and any other information necessary to comply with Articles 23 and 57 of the Court's Rules of Procedure.

9. James *et al.* Case (Trinidad and Tobago): Provisional measures. In an Order of November 24, 2000 (**Appendix XLIII**), the Court decided to maintain the provisional measures ordered in the Orders of June 14, 1998, August 29, 1998, May 25, 1999, May 27, 1999, September 25, 1999, and August 16, 2000 (**Appendix XXI**), and to call on the State of Trinidad and Tobago to present detailed information on the processing of the cases of Anderson Noel, Christopher Bethel, Kevin Dial, Andrew Dottin and Anthony Johnson in the domestic jurisdiction, by February 15, 2001, at the latest. It also called on the State to present information on the cases of all the beneficiaries of the measures by February 15, 2001, at the latest, so that the Court could consider whether the State had complied with its Orders and could include that information in its next report to the General Assembly of the OAS.

The Court also called on the State to continue providing information every two months on the scheduled executions and appeals relating to the protected persons; requested the Inter-American Commission to present its observations of these report within six weeks of receiving them and, lastly, called on both parties to inform the Court about any significant development in the cases of the persons protected by the provisional measures.

10. Bámaca Velásquez Case (Guatemala): Merits. On November 25, 2000, the Court pronounced judgment on the merits of this case (**Appendix XLIV**) and decided, unanimously, that the State had violated the right to personal liberty, embodied in Article 7, and the right to life, embodied in Article 4, of the American Convention, of Efraín Bámaca Velásquez. Likewise, it found that the State had violated the right to humane treatment embodied in Article 5(1) and 5(2) of the American Convention and the right to judicial guarantees and judicial protection embodied in Articles 8 and 25 of the same Convention, to the detriment of Efraín Bámaca Velásquez, and also of Jennifer Harbury, José de León Bámaca Hernández, Egidia Gebia Bámaca Velásquez and Josefina Bámaca Velásquez.

It also found that the State did not violate the right to recognition of juridical personality embodied in Article 3 of the American Convention, to the detriment of Efraín Bámaca Velásquez.

In addition, it found that the State failed to comply with the general obligations of Article 1(1) of the American Convention in connection with the violations of the substantive rights indicated in the findings of this judgment, and failed to comply with the obligation to prevent and punish torture in the terms of Articles 1, 2, 6 and 8 of the Inter-American Convention to Prevent and Punish Torture, to the detriment of Efraín Bámaca Velásquez.

Lastly, it decided that the State must order an investigation to determine the persons responsible for the human rights violations referred to in the judgment, publish the results of this investigation and punish those responsible, and repair the damages caused by the violations indicated in the first seven findings, to which effect it authorized the President to duly provide for the opening of the reparations stage.

Judges Cançado Trindade, Salgado Pesantes, García Ramírez and de Roux Rengifo informed the Court of their Opinions, which accompany this judgment.

11. Reform of the Rules of Procedure of the Inter-American Court of Human Rights. During this session, considering that the procedures established in its Rules of Procedure for the issue of Judgments and Advisory Opinions require constant evaluation, the Court issued an Order on November 24, 2000, whereby it adopted new Rules of Procedure in order to adapt the rules that govern the procedures to truly and effectively guarantee human rights. These Rules of Procedure will enter into force on June 1, 2001 (**Appendix XLV**).

12. Other matters

On November 22, 2000, a round table on human rights, refugees and human mobility was held at the seat of the Court, jointly organized by the United Nations High Commissioner on Human Rights and the Court. Those invited to this event included members of the diplomatic corps and the university community.

On November 24, 2000, (**Appendix XXXV**), the Court in plenary addressed a note to the Secretary General of the Organization of American States, César Gaviria Trujillo, in which it informed him that the Peruvian State had not answered the applications in the Ivcher Bronstein and Constitutional Court cases or appeared at the public hearings held on the merits of these cases from November 20 to 22, 2000 (*supra* C.4) and (**Appendix XXXIV**). It requested the Secretary General to transmit this note to the Permanent Council and the General Assembly of the Organization.

E. SUBMISSION OF NEW CONTENTIOUS CASES

During 2000, the following cases were submitted to the consideration of the Court:

1. Constantine *et al.* versus Trinidad and Tobago

The application in this case, which was filed by the Inter-American Commission on February 22, 2000, refers to the alleged violation by the Republic of Trinidad and Tobago, of Articles 4 (Right to life), 5 (Right to humane treatment), 7 (Right to personal liberty), 8 (Right to a fair trial) and 25 (Judicial protection) of the American Convention, in relation to Articles 1 (Obligation to respect rights) and 2 (Domestic legal effects) of the Convention, owing to the arrest, detention, trial, accusation and sentencing to death of 24 persons in 23 cases prosecuted in Trinidad and Tobago, under a law which makes it obligatory to impose the death penalty on all persons declared guilty of intentional homicide. The Commission also requested the Court to order the reparation of the consequences of the violations of the rights mentioned in its application, based on Article 63(1) of the American Convention.

6. Barrios Altos versus Peru

The application in this case, which the Inter-American Commission filed on June 8, 2000, referred to the alleged violation by the Republic of Peru of Articles 4 (Right to life), 5 (Right to humane treatment), 7 (Right to personal liberty), 8 (Right to a fair trial), 25 (Judicial protection) and 13 (Freedom of thought and expression) of the American Convention in relation to Articles 1 (Obligation to respect rights) and 2 (Domestic legal effects) of the Convention, owing to the events that occurred during the night of November 3, 1991, when a military command allegedly executed fifteen persons and injured another four and, also, as a result of the adoption of two amnesty laws in favor of those accused of the facts.

Benjamin *et al.* versus Trinidad and Tobago

The application in this case, which was filed by the Inter-American Commission on October 5, 2000, refers to the arrest, detention, trial, accusation and sentencing to death of Peter Benjamin, Krishendath Seepersad, Francis Mansingh, Allan Phillip, Narine Sooklal, Amir Mohlaw and Mervyn Parris, under a law that makes it obligatory to impose the death penalty on all persons convicted of intentional homicide in Trinidad and Tobago. In its application, the Commission considered that the Republic of Trinidad and Tobago violated the rights embodied in the American Convention, in particular, provisions contained in Articles 4 (Right to life), 5 (Right to humane treatment), 7 (Right to personal liberty), 8 (Right to a fair trial) and 25 (Judicial protection), in relation to Articles 1 (Obligation to respect rights) and 2 (Domestic legal effects) of the Convention, to the detriment of the alleged victims.

F. SUBMISSION OF NEW REQUESTS FOR THE ADOPTION PROVISIONAL MEASURES

1. Provisional Measures in the Constitutional Court Case (Peru)

On April 3, 2000, Delia Revoredo Marsano de Mur submitted a request for provisional measures to the Court, in the Constitutional Court case which was pending before it. These measures were requested for herself and for her husband, Jaime Mur Campoverde.

The facts that justified the request began at the time that Mrs. Revoredo Marsano formed part of the Constitutional Court of Peru that heard the action for unconstitutionality filed against Law No. 26.657, or the Law on the Authentic Interpretation of Article 112 of the Constitution, which they declared to be irrelevant. At that time, the magistrates of this Court, including Mrs. Revoredo, suffered pressure such as offers, threats and harassment; and both Mrs. Revoredo and her husband suffered attacks on their property and their telephone lines were intercepted.

When Mrs. Revoredo Marsano was dismissed, owing to the said declaration of irrelevance, she and her husband went into exile. On their return to Peru, there were further acts against them, such as the reopening of judicial proceedings that sought to deprive them of their freedom and their property and to prevent Mrs. Revoredo Marsano from being reinstated on the Constitutional Court.

Owing to these facts, on April 7, 2000, the President of the Court issued an Order ordering the Peruvian State to adopt “without delay, all necessary measures to effectively ensure the physical, mental and moral integrity of Delia Revoredo Marsano de Mur”. On August 14, 2000, the Court ratified the Order of its President (*supra* II.B.8) and (Appendixes XIX and XX).

2. Provisional Measures in the Haitians and Dominicans of Haitian Origin in the Dominican Republic Case

The Commission submitted a request for provisional measures to the Court in favor of a certain category of persons: Haitians and Dominicans of Haitian origin subject to the jurisdiction of the Dominican Republic. According to the Commission, the acts that justify its request are as follows: the victims are subjected to “collective” deportations and expulsions from the Dominican Republic, without any legal proceeding that permits adequate identification of their nationality, their migratory status or their family ties. They are separated from their families, without any notice; they are not allowed to take their belongings or the salary they have earned and, in many cases, their children are left abandoned. About 20,000 individuals were expelled or deported during November 1999. Since then the number of expulsions has decreased, but they still continue. There are four groups that are affected by the deportations: Haitians without documents, Haitians with documents, Dominicans of Haitian origin without documents and Dominicans of Haitian origin with documents. On November 22, 1999, the Inter-American Commission ordered precautionary measures and on May 8, 2000, proceeded to open case No. 12.271. These facts led the Court to call on the State of the Dominican Republic to adopt provisional measures in favor of the persons described above, in its Orders of August 18 and November 12, 2000 (*supra* C.3) and (Appendixes XIV and XXX).

11. Provisional Measures in the Comunidad de Paz de San José de Apartadó Case (Colombia)

On October 3, 2000, the Inter-American Commission submitted a request for provisional measures in favor of the inhabitants of the Comunidad de Paz de San José de Apartadó, Department of Antioquia, Republic of Colombia, in order to protect their life and personal integrity, in relation to case No. 12.325 pending before the Commission.

On October 9, 2000, the President issued an Order for urgent measures (**Appendix XLVI**), in which he decided to call on Colombia to adopt, without delay, all necessary measures to protect the life and personal integrity of 189 persons. On November 24, 2000, the Court issued an Order in which it ratified the measures adopted by the President and expanded them to protect all the members of the Comunidad de Paz de San José de Apartadó (*supra* D.1) and (**Appendix XXXVI**). Judges Abreu Burelli and García Ramírez informed the Court of their Concurring Opinion, which accompanied the Order.

Provisional measures in the Ivcher Bronstein Case (Peru)

The statements presented by the witnesses and the expert witness during the public hearing held on November 20 and 21, 2000, and the final arguments of the Inter-American Commission, allowed the Court to establish *prima facie* the existence of a situation of extreme gravity and urgency with regard

to the rights to personal integrity and to a fair trial of Ivcher Bronstein, some members of his family, managers of his companies and other persons related to the facts on which this case is based. Therefore, the Court ordered *motu proprio* that the Peruvian State should take the necessary measures to protect the physical, mental and moral integrity, and also the right to a fair trial, of the persons mentioned above, in its Order of November 21, 2000 (*supra* D.3) and **(Appendix XXXVII)**. Subsequently, based on a request from the Commission, the Court expanded these measures to include Menachem Ivcher Bronstein and Roger González, in its Order of November 23, 2000 (*supra* D.3) and **(Appendix XXXVIII)**.

5. Urgent Measures in the Loayza Tamayo Case (Peru)

As a result of a communication received by the Secretariat of the Court on December 5, 2000, which provided information on the situation that María Elena Loayza Tamayo was experiencing, the President of the Court, after consulting the other judges, decided to adopt urgent measures in her favor on December 13, 2000 **(Appendix XLVII)**. In this Order, he called on the State to “adopt, without delay, all necessary measures to effectively ensure the return to her country of María Elena Loayza Tamayo, and also her physical, mental and moral integrity, so that any provisional measures that the Inter-American Court of Human Rights may decide to order in this case may have the pertinent effects.”

G. STATUS OF MATTERS PENDING BEFORE THE COURT

1. Contentious cases

	Name of the case	Respondent State	Current stage
1.	Neira Alegría <i>et al.</i> Case	Peru	Supervision of compliance with judgment
2.	Caballero Delgado and Santana Case	Colombia	Supervision of compliance with judgment
3.	El Amparo Case	Venezuela	Supervision of compliance with judgment
4.	Garrido and Baigorria Case	Argentina	Supervision of compliance with judgment
5.	Castillo Páez Case	Peru	Supervision of compliance with judgment
6.	Loayza Tamayo Case	Peru	Supervision of compliance with judgment
7.	Paniagua Morales <i>et al.</i> Case	Guatemala	Reparations
8.	Blake Case	Guatemala	Supervision of compliance with judgment
9.	Suárez Rosero Case	Ecuador	Supervision of compliance with judgment

10.	Benavides Cevallos Case	Ecuador	Supervision of compliance with judgment
11.	Cantoral Benavides Case	Peru	Reparations
12.	Durand and Ugarte Case	Peru	Reparations
13.	Bámaca Velásquez Case	Guatemala	Reparations
14.	Villagrán Morales <i>et al.</i> Case (the “Street Children” Case)	Guatemala	Reparations <i>Continued...</i>
15.	Castillo Petruzzi <i>et al.</i> Case	Peru	Supervision of compliance with judgment
16.	Cesti Hurtado Case	Peru	Reparations
17.	Baena Ricardo <i>et al.</i> Case	Panama	Merits
18.	Mayagna (Sumo) Awas Tingni Community Case	Nicaragua	Merits
19.	Las Palmeras Case	Colombia	Merits
20.	The Last Temptation of Christ Case (Olmedo Bustos <i>et al.</i>)	Chile	Merits
21.	Cantos Case	Argentina	Preliminary Objections
22.	Ivcher Bronstein Case	Peru	Merits
23.	Constitutional Court Case	Peru	Merits
24.	Haniff Hilaire Case	Trinidad and Tobago	Preliminary Objections
25.	Caracazo Case	Venezuela	Reparations
26.	Constantine <i>et al.</i> Case	Trinidad and Tobago	Preliminary Objections
27.	Barrios Altos Case	Peru	Merits
28.	Benjamin <i>et al.</i> Case	Trinidad and Tobago	Preliminary Objections

2. Provisional Measures

	Name	State	Current status
1.	Álvarez <i>et al.</i>	Colombia	Active
2.	Bámaca Velásquez	Guatemala	Active
3.	Blake	Guatemala	Active
4.	Caballero Delgado and Santana	Colombia	Active
5.	Carpio Nicolle	Guatemala	Active
6.	Colotenango	Guatemala	Active
7.	Giraldo Cardona	Colombia	Active
8.	Clemente Teherán <i>et al.</i>	Colombia	Active

9.	James <i>et al.</i>	Trinidad and Tobago	Active
10.	Digna Ochoa y Plácido <i>et al.</i>	Mexico	Active
11.	Haitians and Dominicans of Haitian origin in the Dominican Republic	The Dominican Republic	Active
12.	Constitutional Court	Peru	Active
13.	Comunidad de Paz de San José de Apartadó	Colombia	Active
14.	Ivcher Bronstein	Peru	Active

3. Urgent Measures

	Name	State	Current status
1.	Loayza Tamayo	Peru	Active

H. STATUS OF COMPLIANCE WITH THE JUDGMENTS OF THE COURT

1. Benavides Cevallos Case versus Ecuador

On May 9, 2000, the State presented its report on compliance. On May 12, 2000, the Court forwarded the State's report to the Commission and granted it until June 12, to present its observations. On June 9, 2000, the Commission requested the Court to grant it an extension to present its observations, and this was granted until July 10, 2000. On July 14, 2000, the Secretariat of the Court requested the Commission to submit its observations. On July 21, the Commission requested an additional extension of two weeks in order to present its observations.

On July 21, 2000, the State requested the Court to provide it with a copy of all the proceedings in the case up until the judgment, as this was required by the Secretariat of the Eleventh Civil Court of Pichincha, Ecuador.

On August 22, 2000, the State was requested to provide certain detailed information so that the Court could consider it, in order to determine whether the State had complied with the judgment on merits. When an extension was requested, the State was granted until October 22, 2000. The State did not present its report within the period stipulated.

Finally, on November 23, 2000, the Secretariat, following the Court's instructions, requested the State to provide detailed information on certain aspects of compliance, and granted it until January 29, 2001, to do so.

2. Blake Case versus Guatemala

The period to comply with the judgment on reparations of January 22, 1999, expired on July 25, that year. On July 20 and 26, 1999, Guatemala presented communications; in the first, it informed the Court about the patrimonial aspects of this judgment and, in the second, about the non-patrimonial aspects. In the communication received on July 20, 1999, Guatemala stated that it had budgetary problems to comply with the payments ordered by the Court and proposed to effect them in successive tranches, starting in 2000. On August 27 and September 3, 1999, the Commission and the victims, respectively, presented their written observations. In these they expressed their disagreement with the State's proposal and indicated that the Court could exceptionally grant it until January 31, 2000, to comply with the said judgment.

On March 30, 2000, the State indicated, in its bi-annual report, that it had already complied with the judgment on reparations by paying the amounts indicated in it. It also reported that, in the domestic proceeding, the Criminal, Narco-activity and Crimes against the Environment Sentencing Court of the Department of Huehuetenango had pronounced judgment, on January 31, 2000, condemning Vicente Cifuentes López to 28 years of prison, as author of the crime of serial murder against Nicholas Chapman Blake and Griffith Williams Davis.

On July 10, 2000, the Commission advised that the next of kin of the victim had received payment of the compensation ordered in the second, third and fourth finding of the judgment on reparations, in the way and amounts mentioned in the bi-annual report presented by Guatemala on March 30, 2000. With regard to the first finding of the judgment, the Commission indicated that this had only been complied with partially, because, although Vicente Cifuentes López had been convicted as the author of the crime of serial murder of Mr. Blake and Mr. Davis, other persons who took part in the facts had not been convicted or investigated by the State. On August 15, 2000, the State was requested to provide information on compliance with the judgment on reparations with regard to what was ordered in the first finding of the judgment. The Court is expecting a global report on compliance with the judgment in order to deliberate and decide on it, in due course.

3. Caballero Delgado and Santana Case versus Colombia

On November 25, 1999, the Secretariat of the Court, following the instructions of its President, sent a letter to the State requesting it to provide information on compliance with the judgments on merits and reparations. In a communication of May 15, 2000, Colombia presented a report on compliance with these judgments. In its report, Colombia indicated, with regard to the payment due to the minors Andrés Caballero Parra and Ingrid Carolina Caballero Martínez, that the Ministry of National Defense had established a term deposit certificate in favor of the minors, in the name of the Ministry of National Defense; the interest on this is deposited every month into an account in the principal treasury of this Ministry. With regard to the payment due to the next of kin of María del Carmen Santana, Colombia stated that the Ministry of Defense had ordered that a term deposit certificate should be established in Bancafe Internacional; the beneficiary of this will be the person who proves to be the closest relative of María del Carmen Santana, under Colombia's domestic legislation. The certificate will be in the name of the Ministry of Defense. Furthermore, the State indicated that the Office of the Prosecutor General was taking a series of measures to locate the next of kin of Mrs. Santana. Lastly, Colombia reported on the exhumation procedures conducted to locate the remains of the victims and deliver them to their families and on the status of the judicial proceedings to investigate and punish those responsible. In a communication of June 16, 2000,

which the Secretariat of the Court received on the same day, the Inter-American Commission presented its observations on this report. The Commission indicated that the State should indicate why it had made the investments in its own name and adopted measures destined to establish deposit certificates to guarantee the payment of the compensation. It also indicated that the evidence submitted to demonstrate the existence of María del Carmen Santana and her family constituted appropriate proof. Regarding the location of the remains of the victims and their return to the family, and also the judicial proceedings to investigate and punish those responsible, the Commission declared that the State had not provided any new information. On June 29, 2000, the State presented a brief in which it requested authorization to substitute the obligation to establish a trust fund for the family of María del Carmen Santana, because the amount of the investment was not profitable in that type of fund, and that it be allowed to fulfill the said obligation by purchasing a term deposit certificate (TDC) for US\$10,000.00, in favor of Mrs. Santana's closest relative. On August 1, 2000, the Commission forwarded the observations of the representatives of the victims' next of kin on the State's request.

On August 21, 2000, the Secretariat, following the instructions of the plenary of the Court, requested the State to inform it of the reasons why it had not proceeded to pay the compensation established in the judgment on reparations pronounced by the Court to María del Carmen Santana's closest relative. On October 2, 2000, the State presented the report requested. On November 6, 2000, the Commission presented its observations.

The Court will consider the reports presented by the parties during its next session.

4. Castillo Páez Case versus Peru

The period established for compliance with the judgment on reparations of November 27, 1998, expired on June 3, 1999. Owing to non-fulfillment of the State's obligation to report on compliance with this judgment, the Secretariat of the Court sent the State a note reminding it of this obligation on June 11, 1999. A similar note was sent on June 14 the same year. To date, Peru has not presented any information in this respect.

In view of Peru's refusal to comply with the judgment on reparations of November 27, 1998, and pursuant to Article 65 of the American Convention, the Court decided to inform the General Assembly of the Organization of American States that the Republic of Peru, State Party to the Convention, had not complied with the said judgment, and requested it to urge this State to comply with it. Furthermore, on November 12, 2000, the Court sent a note to the Secretary General of the OAS (*supra* C.4) and **(Appendix XXXIII)** in which it referred, *inter alia*, to the failure to comply with the said judgment.

5. Castillo Petruzzi Case et al. versus Peru

In view of Peru's refusal to comply with the judgment on merits of May 30, 1999, and pursuant to Article 65 of the American Convention, the Court decided to inform the General Assembly of the Organization of American States that the Republic of Peru, State Party to the Convention, had not complied with the said judgment, and requested it to urge this State to comply with it. Furthermore,

on November 12, 2000, the Court sent a note to the Secretary General of the OAS (*supra* C.4) and **(Appendix XXXIV)** in which it referred, *inter alia*, to the failure to comply with the said judgment.

6. El Amparo Case versus Venezuela

On January 18, 1999, Venezuela presented a report on compliance with the judgment on reparations in this case. On March 30, 1999, the Commission and the representatives of the victims submitted their written observations on the State's report. The Secretariat presented a global report on compliance with the judgment at the forty-sixth session. During this session, the Court decided to transmit this information to the State, granting it until June 1, 2000, to present its corresponding observations.

In a communication of May 31, 2000, the State requested an extension for presenting its report on compliance with the judgment on reparations. On June 1, the Secretariat informed it that the President had granted an extension until July 17, 2000. In a communication of July 7, 2000, the State requested a further extension, which was granted by the President until August 7, 2000. On August 16, 2000, the State presented its report. On November 6, the Commission submitted its observations. On November 20, 2000, the Court issued an order in which it urged the State of Venezuela and the Inter-American Commission to reach an agreement on the aspects of compliance with the judgment on reparations about which a dispute existed (*supra* D.6) and **(Appendix XL)**.

7. Garrido and Baigorria Case versus Argentina

On November 25, 1999, following the instructions of the Court, the Secretariat requested the State to provide information on the components of the judgment that were pending compliance, to be duly evaluated by the Court. On January 18, 2000, following the instructions of the President, the Secretariat of the Court sent a note to the State reiterating that it should present the information on compliance with the judgment on reparations.

On August 21, 2000, following instructions from the plenary of the Court, the Secretariat requested the State to present a report on the measures taken to comply with the components of the sentence that were pending. The State had not complied with this request when the period expired on September 29, 2000. On November 20, 2000 **(Appendix XLI)**, the Court issued an order in which it called on Argentina to present to the Court by January 29, 2001, at the latest, a final report on the measures taken to comply with the pending aspects of the judgment on reparations of August 27, 1998.

On December 6, 2000, the State presented a report on compliance with the judgment on reparations pronounced by the Court in this case, that will be seen in the next Regular Session of the Court.

8. Loayza Tamayo Case versus Peru

In view of Peru's refusal to comply with the judgment on reparations of November 27, 1998, and pursuant to Article 65 of the American Convention, the Court decided to inform the General Assembly of the Organization of American States that the Republic of Peru, State Party to the Convention, had not complied with the said judgment, and requested it to urge this State to comply with it. Furthermore, on November 12, 2000, the Court sent a note to the Secretary General of the

OAS (*supra* C. 4) and **(Appendix XXXIV)** in which it referred, *inter alia*, to the failure to comply with the said judgment.

9. Neira Alegría *et al.* Case versus Peru

On January 31, 2000, the State presented a communication referring to compliance with the judgment on reparations. In it, Peru requested that case should be concluded owing to the time that had passed and the efforts that it had made. On February 2, 2000, the President of the Court, authorized by its plenary, sent a note to the State requesting it to provide information on the measures that it had taken in order to comply with the aspects of the judgment on reparations that were still pending.

On August 21, 2000, the Secretariat, authorized to this effect by the plenary of the Court, requested the State to provide information on the measures taken to locate the remains of Víctor Neira Alegría, Edgar Zenteno Escobar and William Zenteno Escobar. On September 29, 2000, the State advised that a request was being processed which sought “to obtain a final report from the offices of the Peruvian Navy which would form a corollary to the investigation and provide grounds for the final filing of the case.”

On November 6, 2000, the State presented a note indicating that “the deceased persons could not be fully identified[, so that] it was ordered that they should be registered in the respective Registry of Deaths.”

10. Suárez Rosero Case versus Ecuador

On November 11, 1999, the State presented a report on compliance with the judgment on reparations. On January 14, 2000, the Commission presented its observations on this report. In these, it stated that the State had partially complied with the compensation due to Mr. Suárez Rosero, and that the rest of Ecuador's obligations remain to be fulfilled. On April 7, 2000, following the instructions of the President, the Secretariat of the Court, sent a note to the State requesting it to provide information on compliance with the judgment on reparations, and gave it until May 15, 2000, to do so. On May 10, 2000, Ecuador presented the report on compliance with the judgment. On May 11, 2000, the Secretariat of the Court sent a note to the State requesting it to send the appendix to its report again as the copy received was illegible. On June 13, 2000, following the instructions of the President, the Secretariat of the Court sent a note to the State repeating its request that it should retransmit the above-mentioned appendix, in order to be able to forward this report to the parties and, subsequently, consider the State's compliance.

On July 11, 2000, the Secretariat of the Court received a communication from one of the representatives of the victim and his next of kin, Alejandro Ponce Villacís, in which he presented a copy of a document from the Undersecretary for the Budget of the Ministry of Economy and Finance, and of the communication that the latter had addressed to the Attorney General, with regard to compliance with the judgment.

On July 13, 2000, following the instructions of the President, the Secretariat of the Court sent a note to the State granting it until July 26, 2000, to transmit the appendix attached to the report presented by the State on May 10, 2000. On August 21, following the instructions of the plenary of the Court,

the Secretariat reiterated to the State the request to present the previously mentioned appendix. On November 10, 2000, the Secretariat once more requested the State to present the appendix. To date, this document has not been presented.

On November 21, 2000, following instructions from the plenary of the Court, the Secretariat transmitted a note to His Excellency Heinz Moeller Freile, Minister for Foreign Affairs of Ecuador, informing him of the current status of compliance with the judgments on merits and reparations in the Suárez Rosero case, pronounced by the Court on November 12, 1997, and January 20, 1999, respectively. He also requested the Minister to instruct the corresponding office to present the missing appendix, together with a detailed report on the pending aspects of the judgments.

III. OTHER ACTIVITIES OF THE COURT

1. MEETINGS OF EXPERTS TO STRENGTHEN THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS

In order to give continuity to the high-level activities designed to strengthen the inter-American system for the protection of human rights, initiated the previous year with the two activities held in September and November 1999, and the seminar on “The Inter-American System for the Protection of Human Rights on the Threshold of the Twenty-first Century”, also held in November 1999, the Court held two new meetings of experts, in order to hear their criteria on the steps which should be taken to strengthen the inter-American human rights system; this activity was complementary to the session.

The first of these meetings was held on February 5 and 6, 2000, with the participation of the Judges of the Court: Antônio A. Cançado Trindade (President); Máximo Pacheco Gómez (Vice President); Hernán Salgado Pesantes; Oliver Jackman; Alirio Abreu Burelli; Sergio García Ramírez; Carlos Vicente de Roux Rengifo and Julio A. Barberis, former Judge of the Court and *ad hoc* Judge; accompanied by the experts: Cristian Tattenbach, member of the IIHR Board of Directors; Jorge Cardona Llorens, Chair of International Law of the Universidad Jaume I; Jaime Ruiz de Santiago, Head of the UNHCR Mission in Costa Rica; Manuel E. Ventura Robles, Secretary of the Court, and Renzo Pomi, Deputy Secretary. Judge Oliver Jackman, Judge Sergio García Ramírez and Jaime Ruiz de Santiago did not take part in the February 6 session as they had left Costa Rica.

The second event was held on February 8 and 9, 2000, with the participation of the Judges of the Court: Antônio A. Cançado Trindade; Hernán Salgado Pesantes, Alirio Abreu Burelli and Carlos Vicente de Roux Rengifo; and with the experts: Helio Bicudo, Vice Chairman of the Commission; Claudio Grossman, Commissioner; Héctor Fix-Zamudio, former President of the Court; Rodolfo Piza Escalante, former President of the Court, Pedro Nikken, President of the IIHR Board of Directors and former President of the Court; Sonia Picado Sotela, former Vice President of the Court and Vice President of the IIHR Board of Directors; Cristian Tattenbach, member of the IIHR Board of Directors; Edmundo Vargas Carreño, former Executive Secretary of the Commission; Christophe Swinarski, International Red Cross consultant; Viviana Krsticevic, Executive Director, CEJIL; Jorge E. Taiana, Executive Secretary of the Commission; Roberto Cuéllar, Executive

Director of IIHR; Manuel E. Ventura Robles, Secretary of the Court, and Renzo Pomi, Deputy Secretary. Both meetings were held at the seat of the Court and were chaired by the President of the Court, Judge Antônio Cançado Trindade.

The recommendations made by the experts are included in this report (Appendix XLVIII).

2. PARTICIPATION OF THE PRESIDENT AND THE SECRETARY OF THE COURT IN THE MEETING OF THE AD HOC WORKING GROUP ON HUMAN RIGHTS

The *Ad Hoc* Working Group on Human Rights, created by the Ministers for Foreign Affairs at their meeting in San José, Costa Rica, on November 22, 1999, met again on February 10 and 11, 2000, at the Ministry of Foreign Affairs and Worship of Costa Rica, in order to recommend concrete measures for strengthening the inter-American system for the protection of human rights.

The President of the Court, Judge Antônio A. Cançado Trindade, and the Secretary of the Court, Manuel E. Ventura Robles, took part in the meeting. The President of the Court, who was a special guest at the session, informed the *Ad Hoc* Group of the activities that the Court had organized in order to gather criteria about strengthening the inter-American system for the protection of human rights and referred specifically to the conclusions of the seminar on The Inter-American System for the Protection of Human Rights on the Threshold of the Twenty-first Century (*supra* III.A), and also to the recommendations of the experts convened by the Court (*supra* III.A) and (Appendix XLVIII).

3. VISIT OF THE PRESIDENT AND THE SECRETARY OF THE COURT TO WASHINGTON, D.C., FROM MARCH 13 TO 17, 2000

The President of the Court, Judge Antônio A. Cançado Trindade, and the Secretary of the Court, Manuel E. Ventura Robles, visited Washington, D.C., from March 13 to 17, 2000, so that the President could speak before the Committee on Juridical and Political Affairs of the Permanent Council of the OAS, at the invitation of its Chair, Ambassador Claude Heller, Permanent Representative of Mexico to the OAS, in the framework of the dialogue on the inter-American system for the protection of human rights.

During his four-hour session with the Committee, on March 16, 2000, the President referred *inter alia* to the conclusions of the seminar on “The Inter-American System for the Protection of Human Rights on the Threshold of the Twenty-first Century” (*supra* III.A), and to the recommendations of the experts convened by the Court (*supra* III.A). He also referred to various doctrinal and historical issues related to strengthening human rights within the sphere of the OAS, and replied to questions from the representatives of the States who were present. When he had concluded his participation, he left a written copy of his presentation to be circulated among the delegations accredited to the OAS, as an official document of the Organization.

Judge Cançado Trindade took advantage of the visit to meet with the Ambassadors of Central America and the Caribbean accredited to the OAS, and also with the Ambassadors of Mexico, Brazil, Panama and the United States, as well as with several senior OAS officials (Appendix XLIX).

4. DONATION OBTAINED BY THE GOVERNMENT OF COSTA RICA

On April 3, 2000, a ceremony was held at the Court to receive a donation given by the Government of Costa Rica to the Inter-American Court with international cooperation funds. This donation is of great importance for the international Court, because in addition to strengthening and improving the inter-American system for the promotion and protection of human rights, it will allow the establishment of an Electronic Human Rights Library, which will benefit not only users on the American continent, but also people from throughout the world who wish to consult it.

5. VISIT OF THE PRESIDENT OF BRAZIL

On April 4, 2000, the President of the Court, Judge Antônio A. Cançado Trindade, and Judge Alirio Abreu Burelli, received the President of the Federative Republic of Brazil, Fernando Henrique Cardoso, in San José, Costa Rica.

The President, was accompanied by his wife, Ruth C.L. Cardoso and a high-level delegation which included the Minister of State for Foreign Affairs Luiz Felipe Palmeira Lampreia and his wife, Lenir Lampreia, the Secretary of State for Human Rights, José Gregori, Ambassador João Carlos de Souza-Gomes, Ambassador Osmar Chohfi, Ambassador Federico Araujo, Ambassador Valter Pecly, Ambassador Eduardo dos Santos, the Director of the Department of Human Rights and Special Issues of the Ministry of Foreign Affairs, Minister Marco Antônio Dinis Brandão, and the Minister for Foreign Affairs of Costa Rica, Roberto Rojas, among other authorities.

During this meeting, the President of the Federative Republic of Brazil indicated his satisfaction on encountering the first Brazilian to be President of an international court, the Inter-American Court of Human Rights, and emphasized the significant academic and professional career of Judge Cançado Trindade in the field of international human rights law. He also expressed both his personal commitment and that of his country to the protection of human rights.

Then, the President of the Inter-American Court, Judge Cançado Trindade, highlighted the importance of President Cardoso's visit, because recognition of the contentious jurisdiction by Brazil on December 10, 1998, under his mandate, grants the inhabitants of that country an additional guarantee of the protection of their rights and strengthens the Court as an institution.

President Cardoso subsequently made a presentation in which he referred to issues related to democracy and development. In addition to his delegation, this was attended by heads of diplomatic missions and international organizations.

Lastly, and on the occasion of President Cardoso's visit, Judge Cançado Trindade and Judge Abreu Burelli received the Secretary of State for Human Rights, José Gregori, the Director of the Department of Human Rights and Special Issues of the Ministry of Foreign Affairs, Marco Antônio Diniz Brandão, and Deputy Ney Lopes, representing the Latin American Parliament, at the seat of the Court, on April 5, 2000. Among other matters, those present discussed the Court's current work and the importance of the recent recognition of the Inter-American Court's contentious jurisdiction by several American States, including the Federative Republic of Brazil.

6. PRESENTATION OF THE 1999 ANNUAL REPORT ON THE WORK OF THE COURT TO THE COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS OF THE PERMANENT COUNCIL OF THE OAS

The President of the Court, Judge Antônio A. Cançado Trindade, accompanied by Judge Alirio Abreu Burelli and the Secretary, Manuel E. Ventura Robles, traveled to the headquarters of the OAS in Washington, D.C., from April 10 to 14, 2000, in order to present the Annual Report on the Work of the Court corresponding to 1999, to the Committee on Juridical and Political Affairs of the Permanent Council of the OAS. This activity took place on Thursday, April 13, in the morning, and was presided by Ambassador Claude Heller, Permanent Representative of Mexico to the OAS and Chair of this Committee.

Following the presentation by the President of the Court (**Appendix L**), 16 delegations spoke to congratulate the Court for the excellent work performed during 1999, and to express their hope that the Organization would continue to support the Court. In this respect, they expressed themselves in favor of reintegrating at least US\$100,000.00 of the US\$150,500.00 cut from the Court's budget for 2000 by the OAS Program-Budget Committee, so that the Court could conduct at least three sessions in 2000 and translate and publish its Annual Report for that year. Likewise, they expressed the hope that the Court's budget would be increased as of 2001, as it has been frozen since 1998. The delegation from the Court also met with the Secretary General of the OAS, César Gaviria Trujillo, with his advisor on human rights matters, Peter Quilter, and with some Ambassadors, permanent representatives to the OAS. Furthermore, it met with various representatives of cooperation agencies with which the Court has connections, and which have headquarters in Washington, D.C.

Judges Cançado Trindade and Abreu Burelli took advantage of their stay to attend the inauguration of the “Seminar for Analysis and Reflection on Participatory Democracy”, on the morning of April 10, at the invitation of Ambassador Virginia Contreras, Permanent Representative of Venezuela to the OAS and President of the Working Group on Participatory Democracy.

7. VISIT OF THE PRESIDENT OF COLOMBIA AND THE PRESIDENT OF COSTA RICA

On May 29, 2000, the President of the Court, Judge Antônio A. Cançado Trindade, received the President of the Republic of Colombia, Andrés Pastrana, at the seat of the Court, in San José, Costa Rica.

During his visit to the Court, the President of the Republic of Colombia was accompanied by a high-level delegation that included the Minister for Foreign Affairs of Colombia, Guillermo Fernández de Soto, and the Colombian Ambassador to the Government of Costa Rica, Julio Aníbal Riaño Velandía, among other authorities. President Pastrana's delegation was accompanied at the ceremony at the Court by the President of the Republic of Costa Rica, Miguel Ángel Rodríguez Echeverría, the Minister for Foreign Affairs and Worship of Costa Rica, Roberto Rojas, and the Costa Rican Ambassador to the Government of Colombia, Luis Varela Quirós.

In his welcome speech, the President of the Court, Judge Cançado Trindade, indicated that this visit was a historical event for the Court and confirmed a very healthy trend of respectful rapprochement and constructive dialogue between the States that have created the inter-American system for the protection of human rights and the organs responsible for ensuring faithful compliance with the provisions of the American Convention and other relevant human rights laws in the hemisphere. He recalled that, in recent months, the Inter-American Court had also been honored by the visit of two other leaders of American countries: the President of the Republic of Paraguay, Luis Miguel González Macchi, and the President of the Federative Republic of Brazil, Fernando Henrique Cardoso.

The President of the Court emphasized Colombia's rich juridical tradition, which has made a significant and recognized contribution to the development of Latin American thought on international law. And, with regard to the inter-American human rights system, he recalled that Colombia had been the seat of the Ninth International Conference of American States which, in 1948, adopted the American Declaration of the Rights and Duties of Man, the first international instrument of its kind and, from the start, had actively participated in strengthening it. It was also the second American State to ratify the American Convention on Human Rights and, in 1985, accepted the contentious jurisdiction of the Inter-American Court. Moreover, Colombia has been and is a friend of the inter-American system for the protection of human rights and has always given it its valuable support.

President Pastrana then spoke of the Inter-American Court's contribution to the defense of human dignity and the re-establishment of the rights of those whose rights have been violated, through its jurisprudence and doctrine. He said that the Court's judgments and advisory opinions have caused the countries of the hemisphere to strengthen their national legislation and adapt it to international laws. He mentioned the significant advance that the American Convention represents, as a basic instrument for the protection of fundamental rights and the reflection of the aspirations of the people as regards representative democracy and the application of the rule of law. He also mentioned the obligation of the American States to reinforce the Court's role in the hemisphere. He made special mention of Costa Rica and indicated that this is a country that has always been in the vanguard of human rights. Likewise, he said that Colombia is committed to the struggle to achieve full respect for human rights, and to this end, it has implemented a plan of action. He stated that the ratification of the American Convention and the recognition of the Court's jurisdiction should be universal in order to strengthen the system. He remarked on the importance that countries should accept the judgments of the Court and tackle the problem of financing the system, and reiterated Colombia's total respect for the jurisdiction of the Court and its decisions.

8. THIRTIETH REGULAR SESSION OF THE GENERAL ASSEMBLY OF THE OAS

The General Assembly of the OAS held its Thirtieth Regular Session in Windsor, Canada, from June 4 to 6, 2000.

The Inter-American Court was represented by its President, Judge Antônio A. Cançado Trindade, and by its Vice-President, Judge Máximo Pacheco Gómez. The Secretary of the Court, Manuel E.

Ventura Robles also assisted.

The President of the Court, Judge Antônio A. Cançado Trindade, presented the 1999 Annual Report on the Work of the Court to the General Assembly (**Appendix LI**), which was adopted in Resolution AG/RES. 1716 (XXX-O/00). On that occasion, the delegations of 9 States spoke in support of the Court's work, in the General Commission of the Assembly. In the said Resolution, the General Assembly decided:

1. To receive and transmit to the Inter-American Court of Human Rights the observations and recommendations of the OAS Permanent Council on the annual report.
2. To reiterate that the judgments of the Court are final and may not be appealed and that the states parties to the Convention undertake to comply with the rulings of the Court in all cases to which they are party.
3. To urge the states that have denounced the American Convention on Human Rights or that have withdrawn their recognition of the obligatory jurisdiction of the Court to reconsider their decisions.
4. To urge those member states of the OAS that have not yet done so to consider, as a matter of the highest political priority, signing, ratifying, or acceding to the American Convention on Human Rights, "Pact of San José," as appropriate, and to consider recognizing the binding jurisdiction of the Inter-American Court of Human Rights.
5. To instruct the Permanent Council to institute a substantial increase in the resources allocated to the Court in upcoming fiscal periods, based on the acknowledgement that the promotion and protection of human rights constitute a fundamental priority of the Organization.
6. To thank the Inter-American Court of Human Rights for its work during the period covered by this report.

Moreover, in a resolution entitled "Evaluation of the Workings of the Inter-American System for the Protection and Promotion of Human Rights with a view to its improvement and strengthening", the General Assembly decided as follows in its seventh operative paragraph:

7. To recommend to the Inter-American Court of Human Rights, in connection with its request for ideas and suggestions on the reform process, in accordance with the provisions governing its areas of competence, and in the context of the regulatory autonomy conferred upon it by the American Convention on Human Rights in terms of the procedures followed in processing individual cases, to consider the possibility of:
 - a. Allowing direct participation by the victim as a party to proceedings, from the time that the case is first submitted to its jurisdiction, bearing in mind the need to maintain procedural equity and to redefine the role of the IACHR in such proceedings (*locus standi*); and
 - b. Developing procedural rules to prevent the duplication of procedures in cases submitted to its jurisdiction, in particular the production of evidence, bearing in mind the differences in nature between the Court and the Commission.
8. To transmit this resolution to the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights.

With regard to the draft budget of the Court for 2001, the General Assembly decided in Resolution AG/RES. 1754 (XXX-O/00).

2. To instruct the Permanent Council to convene no later than October 15, 2000, a special session of the General Assembly to consider and approve the 2001 program-budget, the 2001 quotas, and other matters related to the program-budget and basis of financing of the Organization.

9. RECOGNITION OF THE CONTENTIOUS JURISDICTION OF THE COURT BY BARBADOS

On Monday, June 5, during the Thirtieth Regular Session of the General Assembly, a ceremony was held, during which Barbados recognized the contentious jurisdiction of the Inter-American Court.

The following persons attended this act, which was of great significance for strengthening the inter-American system for the protection of human rights: the Minister for Foreign Affairs of Barbados, Billie A. Miller, the Secretary General of the OAS, César Gaviria Trujillo, the President of the Inter-American Court, Judge Antônio A. Cançado Trindade, the Vice President, Judge Máximo Pacheco Gómez, the Secretary, Manuel E. Ventura Robles, and also several Ambassadors, Permanent Representatives to the OAS of Caribbean States.

10. RE-ELECTION OF THREE OF THE COURT'S JUDGES

On Tuesday, June 6, 2000, the General Assembly unanimously re-elected in their functions, for a period of 6 years, Judges Antônio A. Cançado Trindade (Brazil), Oliver Jackman (Barbados) and Alirio Abreu Burelli (Venezuela).

The mandate for which Judges Cançado Trindade, Jackman and Abreu Burelli were re-elected will begin on January 1, 2001, and end on December 31, 2006.

11. DONATION FROM THE BRAZILIAN STATE TO THE INTER-AMERICAN COURT

In a ceremony held on June 5, 2000, in Windsor, Canada, during the Thirtieth Regular Session of the General Assembly of the OAS, the Minister for Foreign Affairs of Brazil, Ambassador Luiz Felipe Palmeira Lampreia, gave the President of the Court, Judge Antônio A. Cançado Trindade, a voluntary contribution of US\$50,000.00 to strengthen the Court's institutional activities.

The President of the Court thanked the Brazilian Minister for Foreign Affairs for the donation and underlined its importance at a time when the OAS itself is seeking additional resources to strengthen the inter-American system for the protection of human rights.

Ambassador Carlos Alberto Leite Barbosa, Permanent Representative of Brazil to the OAS, and all the members of the Brazilian delegation to the General Assembly of the OAS attended the ceremony. In addition to its President, the Court was also represented by its Vice-President, Judge Máximo Pacheco Gómez and Secretary, Manuel E. Ventura Robles.

12. INVITATION TO THE INAUGURAL CEREMONY OF THE SEAT OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

On June 8, 2000, Judge P. Chandrasekhara Rao transmitted an invitation to the President of the Court, Judge Antônio A. Cançado Trindade, to the ceremony to inaugurate the seat of this Tribunal. In his reply to Judge Chandrasekhara Rao, the President, Judge Cançado Trindade, informed him that he would be unable to attend due to previous commitments, and emphasized their mutual interest in the work of the contemporary international tribunals which contribute to re-affirming the potential of international law to effectively regulate relations whose specificity requires specialized knowledge **(Appendix LII)**.

13. INSTITUTIONAL COOPERATION AGREEMENT BETWEEN THE INTER-AMERICAN COURT OF HUMAN RIGHTS AND THE UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP), SIGNED ON JUNE 14, 2000

The Inter-American Court, represented by its President, Judge Antônio A. Cançado Trindade, and the United Nations Development Programme (UNDP), represented by its Resident Representative in Costa Rica, Virginia Trimarco, concluded a cooperation agreement so that the Court would provide UNDP with the judgments and advisory opinions that it pronounces and, UNDP would provide the Court with its global, regional and national reports on human development, for the use of the users of the Court's Documentation Center.

In addition to Judge Cançado Trindade and doctor Trimarco, the Representative of the Service Center Office of the United Nations High Commissioner for Refugees (UNHCR), Jaime Ruiz de Santiago, Rodolfo Piza Escalante, former President of the Inter-American Court and former Costa Rican Ambassador to the United Nations, Cristian Tattenbach Yglesias, member of the Board of Directors of the Inter-American Institute of Human Rights and former Costa Rican Ambassador to the United Nations, the Secretary of the Court, Manuel E. Ventura Robles, and the staff of the Inter-American Court, also attended this act. **(Appendix LIII)**.

14. COOPERATION AGREEMENT BETWEEN THE SERVICES CENTER OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) IN COSTA RICA AND THE COURT, SIGNED ON JUNE 14, 2000

The Inter-American Court, represented by its President, Judge Antônio A. Cançado Trindade, and Services Center Office of the United Nations High Commissioner for Refugees (UNHCR), represented by its Resident Representative in Costa Rica, Jaime Ruiz de Santiago, signed an agreement by which UNHCR agreed to provide the Court's Documentation Center with material on national and international refugee legislation, information on countries of origin and other subjects related to UNHCR's mandate and activities, and the Inter-American Court agreed to make available to UNHCR, any material published by the Court which would be relevant for this agency's purposes.

In addition to Judge Cançado Trindade and doctor Ruiz de Santiago, the Resident Representative in Costa Rica of the United Nations Development Programme (UNDP), Virginia Trimarco, Rodolfo Piza Escalante, former President of the Inter-American Court and former Costa Rican Ambassador

to the United Nations, Cristian Tattenbach Yglesias, member of the Board of Directors of the Inter-American Institute of Human Rights and former Costa Rican Ambassador to the United Nations, the Secretary of the Court, Manuel E. Ventura Robles, and staff of the Inter-American Court also attended the act. **(Appendix LIV).**

15. VISIT OF THE PRESIDENT OF THE COURT TO STRASBOURG

Having been invited as a guest speaker by the International Institute of Human Rights in Strasbourg, France, the President of the Court, Judge Antônio A. Cançado Trindade, met with the President and some of the Judges of the European Court of Human Rights on July 11, 2000. On July 12, he spoke on the work of the Inter-American Court to the judges and staff of the European Court, at its seat, and this resulted in a fruitful discussion on the jurisdictional experiences of the two Courts, with benefits for both the European and inter-American system of human rights.

Finally, on the same day July 12, 2000 (Appendix LV) the President of the Inter-American Court, Judge Cançado Trindade, signed a cooperation agreement with the new Director of the Strasbourg International Institute of Human Rights, Professor J.-F. Flauss, at the Institute's headquarters, by which both institutions agreed to exchange publications and documents, and to keep each other informed about their respective activities. As a result of the signature of this Agreement, the International Institute of Human Rights will provide an annual grant, covering the costs of the session and sojourn for one person, so that officials of the Inter-American Court may take part in the annual study session in Strasbourg.

16. PANEL: "HUMAN DEVELOPMENT AND HUMAN RIGHTS"; FOLLOW-UP ACTIVITY TO THE LAUNCH OF THE 2000 HUMAN DEVELOPMENT REPORT. INTER-AMERICAN COURT - UNDP

The Inter-American Court and the United Nations Development Programme (UNDP), organized a joint activity on August 7, 2000, at which the *2000 Human Development Report* was presented to all Central America. The panel was composed of: Elizabeth Odio Benito, Second Vice President of the Republic of Costa Rica and Minister of the Environment and Energy; Rodolfo Piza Escalante, President of the Constitutional Chamber of the Supreme Court of Justice; Sakiko Fukuda Parr, Director of the Human Development Report; Judge Antônio A. Cançado Trindade, President of the Inter-American Court and Virginia Trimarco, Resident Representative of UNDP.

Members of the Executive, the Legislative and the Judiciary branches of the Republic of Costa Rica, the diplomatic corps, academic institutions, the Inter-American Institute of Human Rights and the United Nations system, and also officials of both institutions were invited to the activity.

In the context of this event, the President of the Inter-American Court, Judge Cançado Trindade, delivered a presentation on: "*Human development and human rights on the international agenda of the twenty-first century*".

17. INAUGURATION OF THE NEW INSTALLATIONS OF THE ANNEX TO THE INTER-AMERICAN COURT OF HUMAN RIGHTS

The ceremony to inaugurate the Court's new building occupied by the Joint Court-IIHR Library, the IIHR Documentation Center and the Court's Editorial Unit was held on August 18, 2000. At the invitation of the Court, the event was attended by the President of the Republic of Costa Rica, Miguel Ángel Rodríguez Echeverría; the Second Vice President of the Republic of Costa Rica, Elizabeth Odio Benito; the Minister for Foreign Affairs, Roberto Rojas López; the Minister of Justice, Mónica Nagel; the Vice President of the Inter-American Institute of Human Rights, Sonia Picado; the Executive Director of the Inter-American Institute of Human Rights, Roberto Cuéllar, and several members of the diplomatic corps accredited to the Government of Costa Rica and the staff of the Inter-American Court and IIHR.

Both the President of the Court, Judge Antônio A. Cançado Trindade (**Appendix LVI**), and the President of the Republic of Costa Rica, Miguel Ángel Rodríguez Echeverría (**Appendix LVII**) addressed those present.

Lastly, a plaque was unveiled expressing the Court's gratitude to the Republic of Costa Rica for having obtained international cooperation for the funds necessary to acquire the building, and then those present visited the installations of the new library.

18. SIGNATURE OF A COOPERATION AGREEMENT WITH THE INTERNATIONAL COMMITTEE OF THE RED CROSS (I.C.R.C.)

On August 18, 2000, at the seat of the Court, a cooperation agreement was signed between the Inter-American Court of Human Rights and the International Committee of the Red Cross. During the event, at which both the President of the Court, Judge Antônio A. Cançado Trindade, and the Regional Delegate of the Red Cross for Central America and the Caribbean, Jean-Marc Bornet, spoke, publications of the two institutions were exchanged as a sample of what will be a fruitful collaboration in the future. Also present were the judges of the Court, its Secretaries and staff, and also the staff of the Regional Office of the Red Cross for Central America, the Legal Advisor of the ICRC, Christophe Swinarski, and other distinguished guests.

Under this agreement, the Court agreed to make its judgments and collections of jurisprudence, and also the articles and opinions published about them, available to ICRC; to authorize and facilitate free access to public information and to the Court's Documentation Center to the ICRC; to provide training on international humanitarian law to ICRC lawyers and other professional support staff and to contribute, within its mandate, to providing training on the protection of human rights to ICRC staff in the hemisphere.

In return, the International Committee of the Red Cross agreed to share the following material with the Court and provide it to the Documentation Center: documents on the development, interpretation and application of international humanitarian law published by the institution, such as: books, articles, essays, didactic texts in any form, including CD-ROM; statistics on the participation

of the States of the hemisphere in humanitarian law treaties; information on legislation and other national application measures, and also the corresponding national jurisprudence; information, public declarations and documents on the activities of the institution within its mandate; and to provide support to Court's judges or legal advisors and other staff in the area of international humanitarian law.

Both parties also agreed to maintain constant communication about events on topics of mutual interest such as seminars, conferences, debates and presentations (**Appendix LVIII**).

19. MEETING OF THE PRESIDENTS OF THE COUNTRIES OF SOUTH AMERICA

On August 31, 2000, the Meeting of the Presidents of all the countries of South America was inaugurated at the Itamaraty Palace of the Ministry of Foreign Affairs of Brazil. The Inter-American Court was represented at the inaugural session by its President, Judge Antônio A. Cançado Trindade, invited as an observer to the inaugural session of this meeting. The following day, the Presidents of the South American countries adopted the *Brasília Communiqué*, in which they included the requirement that democracy should be a factor for the integration of the countries of the region and that consultations should be conducted in case of threats to or rupture of the democratic order of the countries of South America, and also singled out the eradication of poverty as a priority.

20. VISIT OF THE PRESIDENTS OF COSTA RICA AND THE DOMINICAN REPUBLIC, AND THE PRESIDENT ELECT OF MEXICO

On September 12, 2000, Judge Antônio A. Cançado Trindade, President of the Inter-American Court, received the President of Costa Rica, Miguel Ángel Rodríguez Echeverría, the President of the Dominican Republic, Hipólito Mejía Domínguez, the President elect of the United Mexican States, Vicente Fox Quesada, accompanied by authorities in their delegations and also senior Costa Rican authorities.

In his words of welcome, the President of the Inter-American Court, Judge Cançado Trindade, declared that this visit was a historical event that confirmed a healthy trend of respectful rapprochement and constructive dialogue between the States that have created the inter-American system for the protection of human rights and the organs responsible for ensuring faithful compliance with the provisions of the American Convention and other legislation on human rights in the hemisphere. The President of the Court also referred to the human rights record of both Mexico and the Dominican Republic.

In ending, he declared that with the support of the Republic of Costa Rica, the Dominican Republic and the United Mexican States, together with that of the other Member States of the OAS, the strengthening of the inter-American human rights system will become a reality, the work of the Court will be improved and, in this way, all the inhabitants of the region will enjoy a more effective protection of their rights at both the national and the international level.

In their speeches, the Presidents referred to the human rights record of their countries. Thus, the Dominican Republic has ratified various instruments of the inter-American system for the protection of human rights and is a signatory of several others, and on March 25, 1999, it recognized the contentious jurisdiction of the Inter-American Court. In turn, the United Mexican States have also ratified the majority of the protection instruments and, on December 16, 1998, recognized the contentious jurisdiction of the Court. Likewise, the President of Costa Rica was emphatic in the need to strengthen the protection system integrally, and motivated the visitors to become promoters and allies in the struggle to achieve this objective.

21. VISIT TO THE EUROPEAN COURT OF HUMAN RIGHTS IN STRASBOURG

The President of the Court, Judge Antônio A. Cançado Trindade, the Vice President, Judge Máximo Pacheco Gómez and the Secretary, Manuel E. Ventura Robles, were invited by the European Court of Human Rights and by its President, Judge Luzius Wildhaber, to pay a working visit to the seat of this institution in Strasbourg, France, which took place on October 30 and 31, 2000, in order to analyze the current working of the European Court, as of the entry into force of Protocol 11, on November 1, 1998, with the European judges and the Secretariat staff.

On October 30, after having been officially received by the President of the European Court, the Inter-American Court delegation met with Wolfgang Strasser, Deputy to the Registrar on the organization of the Court and the assessment of the transitional period, to discuss issues related to the new structure and organization of the European Court under Protocol 11, and the consolidation of the new system during its current transition period, now that it has become a permanent tribunal.

Then, the Inter-American Court delegation met with the Deputy Secretaries of the European Court, Paul Mahoney and Maud de Boer-Busquicchio, and also with Sally Dollé, Section Secretary, to share ideas on the administrative and procedural problems arising from the establishment of a permanent court.

On the morning of October 31, Judges Cançado Trindade and Pacheco Gómez and Secretary Ventura Robles, held a working session with the President of the European Court, Judge Luzius Wildhaber, the Vice President, Judge Elizabeth Palm, Judge Georg Ress, Section President, and Judge Jean-Paul Costa, with whom they exchanged information on the operation of both regional Courts. President Cançado Trindade also had private discussions with President Luzius Wildhaber and Judges Benedetto Conforti and Lucius Caflish.

That afternoon, Judges Cançado Trindade and Pacheco Gómez and Secretary Ventura Robles took part in a round table with Judges José Antonio Pastor Ridruejo, Irineu Cabral Barreto and Josep Casaderall, and several lawyers of the Court, on aspects relating to the admissibility of claims and fact-finding in both regional systems. Subsequently, the Inter-American Court delegation met with Gunther Nagel, Division Head of the Human Rights Department of the Council of Europe, and also with some of his advisors to discuss aspects relating to the execution of the judgments of both regional Courts.

22. PARTICIPATION IN THE ROME COMMEMORATIVE CONFERENCE ON THE FIFTIETH ANNIVERSARY OF THE SIGNATURE OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

On November 3 and 4, 2000, at the invitation of the Council of Europe, the President of the Court, Judge Antônio A. Cançado Trindade, the Vice President, Judge Máximo Pacheco Gómez, and the Secretary, Manuel E. Ventura Robles, took part in the Rome Ministerial Conference on Human Rights, which was held in Rome Italy, on the occasion of the fiftieth anniversary of the adoption of the European Convention on Human Rights in Rome. In this conference, the delegations of all the States Members of the Council of Europe stated their position on the measures that should be taken to strengthen the European human rights system. The conference was held in the *Palazzo della Farnesina*, headquarters of the Italian Ministry of Foreign Affairs.

The President of the Inter-American Court, Judge Antônio A. Cançado Trindade, was received in a special audience by His Holiness the Pope John Paul II, in the Clementina Chamber, Vatican City, on November 3, at 11.45 a.m.

In the afternoon, Judges Cançado Trindade and Pacheco Gómez and Secretary Ventura Robles took part in the official reception offered by the President of the Italian Republic in the *Palazzo del Quirinale*, and also in the ceremony for the signature of Protocol 12 to the European Convention on Human Rights, which prohibits all forms of discrimination, held at the *Campidoglio* on November 4.

23. CYCLE OF CONFERENCES HELD IN SEVILLE, SPAIN, ON THE FIFTIETH ANNIVERSARY OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

The President of the Court, Judge Antônio A. Cançado Trindade, the Vice President, Judge Máximo Pacheco Gómez and the Secretary, Manuel E. Ventura Robles, were invited by the El Monte Foundation and the University of Seville to take part in the cycle of conferences programmed to celebrate the fiftieth anniversary of the European Convention on Human Rights, which was held from November 6 to 9, in Seville, Spain.

On the evening of Thursday, November 9, the President of the Inter-American Court, Judge Cançado Trindade, made a presentation on “*The Experience of the Inter-American Court of Human Rights in the International Protection of Human Rights.*”

The previous day, Wednesday, November 8, 2000, the President, the Vice President and the Secretary of the Inter-American Court participated in a round table on the inter-American system for the protection of human rights with all the chairs, professors and assistants of the Department of International Public Law of the University of Seville, whose Director is Professor Juan Antonio Carrillo Salcedo, former Judge of the European Court of Human Rights.

24. SIGNATURE OF AN INTER-INSTITUTIONAL COOPERATION AGREEMENT BETWEEN THE INTER-AMERICAN COURT OF HUMAN

RIGHTS AND THE BANCAJA INTERNATIONAL CENTER FOR PEACE AND DEVELOPMENT OF THE CAJA CASTELLÓN FOUNDATION, SPAIN

On November 8, 2000, at the University of Seville, Spain, the President of the Court, Judge Antônio A. Cançado Trindade, accompanied by the Vice President, Judge Máximo Pacheco Gómez, and the Secretary, Manuel E. Ventura Robles, signed an inter-institutional cooperation agreement **(Appendix LIX)** with Antonio Tirado Jiménez, President of the Bancaja Caja Castellón Foundation, who was accompanied by Professor Jorge Cardona Llorens, Chair of the International Public Law Department of the Universitat Jaume I, of Castellón, Spain.

Under this agreement, the Inter-American Court agrees to inform the Bancaja International Center for Peace and Development of the judicial decisions and advisory opinions that the Court produces and facilitate access to this jurisprudence, and also to facilitate the Bancaja International Center for Peace and Development's access to the Court's Documentation Center, its researchers and collaborators. In return, the Bancaja International Center for Peace and Development agrees to provide the Court with publications arising from the activities carried out at the Bancaja International Center for Peace and Development, and to offer the Court facilities for accessing the Documentation Center in Castellón, and also to donate to the Court the successive tomes of the collection of Euro-Mediterranean courses on international law. Also, both institutions agree to seek mechanisms that contribute to a close and effective cooperation for the promotion and protection of human rights and human development.

25. MEETING OF THE PRESIDENT AND VICE PRESIDENT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS AND THE CHAIRMAN AND VICE CHAIRMAN OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

On November 18, 2000, the President and Vice President of the Court, Judges Antônio A. Cançado Trindade and Máximo Pacheco Gómez, met with the Chairman and First Vice Chairman of the Commission, Commissioners Hélio Bicudo and Claudio Grossman at the seat of the Inter-American Court in San José, Costa Rica.

The meeting underlined the close and harmonious collaborative relations that inspire the two organs for the protection of human rights of the inter-American system, and established the subject matter for the next joint meeting between the Court and the Commission to be held in 2001, in accordance with the mandate of the General Assembly of the OAS.

At the end of the meeting, the President of the Court, Judge Antônio A. Cançado Trindade, and the Chairman of the Commission, Hélio Bicudo, sent a joint letter to the Secretary General of the OAS, César Gaviria, informing him of the topics that the two organs had agreed to consider, which include: 1. The joint search for better financing for the operation of both organs. 2. Compliance with the judgments of the Court and the recommendations of the Commission. 3. Strengthening the inter-American protection system. 4. Continuous coordination between the two organs of the system in the performance of their functions. 5. Streamlining the process to reform the Court's

rules of procedure and the Commission's regulations (with regard to issues such as, admissibility of cases, filing cases before the Court, fact-finding and evidence).

This letter also observed that special attention would be given to the changes in the both the Court's Rules of Procedure and the Commission's Regulations, and also to obtaining the additional financial resources that both organs will need in order to comply more effectively with their obligations under the Convention in the coming years (**Appendix LX**).

26. CELEBRATION OF THE FIFTIETH ANNIVERSARY OF UNHCR AT THE SEAT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

On Wednesday, November 22, 2000, a round table entitled "*Refuge in the Contemporary World: Experiences and Perspectives*" was held at the seat of the Inter-American Court, in commemoration of the fiftieth anniversary of the United Nations High Commissioner for Refugees (UNHCR). This academic activity was attended by the diplomatic corps accredited to the Government of Costa Rica, senior Government officials and experts in the subject matter, together with the judges and staff of the Court.

Jaime Ruiz de Santiago, Head of the UNHCR mission in Costa Rica; Luiz Fernando de Oliveira y Cruz Benedini, Ambassador to Costa Rica of the Federative Republic Brazil; Carlos Pujalte Piñeiro, Ambassador to Costa Rica of the United Mexican States; Judge Antônio A. Cançado Trindade, President of the Inter-American Court of Human Rights and Elayne Whyte Gómez, Deputy Minister for Foreign Affairs and Worship of Costa Rica took part in the event as speakers. The Secretary of the Court, Manuel E. Ventura Robles, moderated the round table. On that occasion, the President of the Court, Judge Cançado Trindade, spoke on "*Displacement as a Human Rights Problem for the Universal Juridical Conscience*."

27. VISIT TO THE COURT OF A DELEGATION FROM THE RAOUL WALLENBERG INSTITUTE OF HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW

On the afternoon of November 29, the President of the Inter-American Court, Judge Antônio A. Cançado Trindade, received the visit of a delegation of 28 persons from the Raoul Wallenberg Institute of Human Rights and International Humanitarian Law, of Lund, Sweden, headed by its Director, Professor Gudmundur Alfredsson. On that occasion, the President of the Court thanked the Raoul Wallenberg Institute for its interest in the recent jurisprudence of the Inter-American Court, and congratulated the Institute for its academic work in the field of human rights and international humanitarian law.

28. VISIT OF THE PRESIDENT OF ARGENTINA AND THE PRESIDENT OF COSTA RICA

On December 5, 2000, the President of the Inter-American Court, Judge Antônio A. Cançado Trindade, received His Excellency the President of the Argentina Republic, Fernando de la Rúa, at the seat of the Court, in San José, Costa Rica.

During his visit to the Court, the President of the Republic of Argentina was accompanied by a high-level delegation, which included the Minister for Foreign Affairs of Argentina, Adalberto Rodríguez Giavarini and the Argentine Ambassador to the Government of Costa Rica, Manuel María Pinto. President de la Rúa's delegation was accompanied in the ceremony at the Court by the President of the Republic of Costa Rica, Miguel Ángel Rodríguez Echeverría, the Minister for Foreign Affairs and Worship of Costa Rica, Roberto Rojas, and the Costa Rican Ambassador to the Government of Argentina, Eduardo Francisco Otoya Boulanger.

In his words of welcome, the President of the Inter-American Court, Judge Cançado Trindade, declared that the visit was a historical event which confirmed the healthy trend of respectful rapprochement and constructive dialogue between the States that have established the inter-American system for the protection of human rights and the organs responsible for ensuring faithful compliance with the provisions of the American Convention and other human rights legislation in the hemisphere.

The President of the Court referred to the rich juridical tradition of Argentina, which has made a significant and recognized contribution to the development of thought on international law in Latin America. With regard to the inter-American system of human rights, he recalled that Argentina had been the seat of the Third Special Inter-American Conference held in 1967, when the OAS Charter was reformed. At this conference, the Inter-American Commission of Human Rights was established as an organ of the OAS and an inter-American conference on human rights was convened to determine the structure, competence and procedure of the organs responsible for this matter. As a result, the American Convention or Pact of San José, Costa Rica, was adopted on November 22, 1969, and this, in turn, established the Inter-American Court of Human Rights. The Republic of Argentina ratified this Convention and accepted the contentious jurisdiction of the Inter-American Court on September 5, 1984. Moreover, Argentina has been and is a good friend of the inter-American system for the protection of human rights, to which it has always given valuable support.

He recalled that, in recent months, the Inter-American Court had also been honored by the visit of other leaders of American countries: the President of the Republic of Paraguay, Luis Miguel González Macchi, the President of the Federative Republic of Brazil, Fernando Henrique Cardoso, the President of the Republic of Colombia, Andrés Pastrana Arango, the President of the Dominican Republic, Hipólito Mejía Domínguez, and the President elect of the United Mexican States, Vicente Fox Quesada.

President de la Rúa reiterated his greetings and his unconditional support for the work of the Court, whose contribution to the rule of law in the region, through its judgments and advisory opinions represents one of the most significant and transcendent achievements of the inter-American system for the protection of human rights. He emphasized that, as of 1994, with the constitutional reform, international human rights instruments acquired constitutional ranking and were incorporated into the Argentine Constitution. He also recalled that one of the basic responsibilities of the

Governments of the region is to use all their efforts to provide the means to strengthen their domestic legal system, respecting its independence, because this is the essential framework within which disputes should be processed and resolved, according to the law. He underlined the work of the Inter-American Commission, but indicated that it is necessary to improve its operation and, in particular, its admissibility criteria and procedures. He reiterated Argentina's interest in encouraging a greater presence of the victims in the proceedings before the Court and their direct access to the Court, once the procedure before the Commission has been exhausted, as part of the progressive process to establish the individual as a full subject of international law. He added that, the judgments of the Court should be complied with and their obligatory nature should not be disputed; moreover, a transcendent contribution to improving the inter-American system is that all States should accept the contentious jurisdiction of the Court without restrictions and he urged the political organs of the OAS to become more involved in the compliance with the Court's judgments.

IV. ACADEMIC ACTIVITIES OF THE JUDGES

Judge Antônio A. Cançado Trindade delivered a course of four lectures on "*Current State and Perspectives of the Inter-American System of Protection of Human Rights / L'État Actuel et Perspectives du Système Interaméricain de Protection des Droits de l'Homme*", at the XXXI Study Session of the International Institute of Human Rights, held in Strasbourg, France, from 10 to 13 July, 2000; on 11 July, 2000, at the headquarters of the Council of Europe in the same city of Strasbourg, he made a presentation to the Judges and staff of the European Court of Human Rights on the work of the Inter-American Court of Human Rights.

Judge Antônio A. Cançado Trindade delivered three lectures, on "*The Direct Access of the Individuals to the Inter-American Court of Human Rights*", at the XXVII Course of International Law organized by the Inter-American Juridical Committee of the OAS, in Rio de Janeiro, Brazil, on 02-04 August, 2000.

Judge Antônio A. Cançado Trindade delivered two lectures on "*The Inter-American Court of Human Rights*" at the XVIII Interdisciplinary Course of the Inter-American Institute of Human Rights (IIHR), in San José of Costa Rica, on 07 and 09 August, 2000. Subsequently, he delivered a lecture on "*The Strengthening and Improvement of the Inter-American System of Human Rights*", in the Course for Organizations of the Civil Society of the IIHR, in San José of Costa Rica, on 14 November, 2000.

Judge Antônio A. Cançado Trindade delivered the opening lecture, on "*The Direct Access of the Individuals to the International Tribunals of Human Rights*", at the V National Conference on Human Rights, in the Auditorium of the National Congress of Brazil, in Brasilia, on 25 May, 2000. Moreover, he delivered the closing lecture, on the "*Functions and Case-Law of the Inter-American Court of Human Rights*", of the Course for Members of the *Ministère Public* held in the city of Salvador of Bahia, Brazil, on 15 December, 2000.

At a ceremony held in the evening of 20 October, 2000 in the city of Curitiba, Brazil, Judge Antônio A. Cançado Trindade received the Prize "*Heleno Fragoso for Human Rights 2000*", granted by the Brazilian Bar Association (OAB/State of Paraná), for his outstanding contribution to the evolution of the International Law of Human Rights.

Judge Antônio A. Cançado Trindade delivered the closing lecture on "*The Experience of the Inter-American Court of Human Rights in the International Protection of Human Rights*", in the Seminar of the University of Sevilla, in commemoration of the 50th anniversary of the European Convention on Human Rights, in Sevilla, Spain, in the evening of 09 November, 2000.

Judge Antônio A. Cançado Trindade delivered a lecture on the Evolution of the International Protection of Human Rights, in the evening of 28 November, 2000, in the Convent of San Carlos and San Ambrosio, near the Cathedral of Havana, Cuba, cosponsored by the Inter-American Institute of Human Rights (IIHR), the Conference of Catholic Bishops of Cuba (the *Conferencia Episcopal*), and the National Union of Jurists of Cuba (NUJC); the day before, November 27th, he participated in a workshop with jurists members of the Cuban Society of International Law, at the headquarters of the International Committee of the Red Cross (ICRC) in Havana, Cuba.

During the year 2000, Judge Antônio A. Cançado Trindade received the distinction of his election as Patron of the Graduates of International Relations of the University of Brasília, on 01st September, 2000; he delivered two courses (Public International Law and International Law of Human Rights) at the same University of Brasília, Brazil (second semester), wherein he inaugurated the Seminar of the UNHCR on International Refugee Law, on 29 August, 2000; he delivered, furthermore, a course on Public International Law at the Diplomatic Institute Rio-Branco, in Brasilia (first semester).

During the first semester of the year 2000, Judge Antônio A. Cançado Trindade integrated the External Advisory Panel of Eminent Experts of the United Nations Development Programme (UNDP), for the elaboration of the *Report on Human Development* of the UNDP for the year 2000.

Among the academic activities he undertook in his own country during 2000, Judge Máximo Pacheco Gómez gave the annual course on "Introduction to the Study of Law", at the University of Chile's Law School.

He taught a one-semester course on "Human Rights" at the Law School of the Pontifical Catholic University of Chile and a one-semester course on "Human Rights" at the Academy of Police Sciences of the Chilean Police Force.

He was elected Vice President of the Board of Directors of the Andrés Bello University in Chile.

The President of the Republic of Chile appointed Judge Pacheco Gómez to represent him on the Board of Directors of the University of Talca, Chile, and on the Board of Directors of Editorial Jurídica, Chile.

During 2000, Judge Hernán Salgado Pesantes took part in the specialized human rights course for judges and prosecutors organized by the National Council of the Judicature, the Public Ministry and the Latin American Human Rights Association (ALDHU), from May 2 to 4.

The Constitutional Tribunal of Ecuador appointed him to represent it at the official acts and the seminar to commemorate the twentieth anniversary of the Constitutional Tribunal of Spain, from July 3 to 5.

He represented the Inter-American Institute of Human Rights at the seminar "Ombudsmen and Public Policies in Latin America", held at the FLACSO offices in Quito, Ecuador, on September 20 and 21.

He represented the Inter-American Court of Human Rights at the seminar on "Refugee Legislation and Human Rights", organized by UNHCR and the International Association of Refugee Law Judges (IARLJ) and held in Geneva and Bern, Switzerland, from October 21 to 26.

Lastly, he represented the Inter-American Institute of Human Rights at the seventh session of UNESCO's International Bioethics Committee, held in Quito, Ecuador, from December 7 to 9.

Judge Sergio García Ramírez is the author of the following books that were published in 2000: "Estudios jurídicos" (Juridical Research Institute, UNAM, Mexico, first edition, 997 pages), "Moradas del poder" (Seminario de Cultura Mexicana, Mexico, first edition, 342 pages), "Elementos de Derecho procesal agrario" (Editorial Porrúa, Mexico, third edition, 516 pages) and "Delincuencia organizada. Antecedentes y regulación penal en México" (Editorial Porrúa-Juridical Research Institute, UNAM, Mexico, second edition, 306 pages). He also authored the booklet "Admisión de la competencia contenciosa de la Corte Interamericana de Derechos Humanos. El caso de México" (National Human Rights Commission, Mexico, first edition, 51 pages) and the introductory essay "Beccaria: el hombre, la circunstancia, la obra" in the facsimile edition of Beccaria, César, "De los delitos y de las penas" (Fondo de Cultura Económica, Mexico, first edition, introductory essay: pages 7-97), together with numerous articles on legal topics and prefaces to various works on law and other disciplines, published in Mexico and other countries. Professor of the licentiate program in law at the National Autonomous University of Mexico (UNAM) and of postgraduate courses in law at the Iberoamericana University-Puebla (during 2000). Lecturer at courses and seminars on human rights-related topics organized by bodies such as the Inter-American Court of Human Rights, the Inter-American Institute of Human Rights and the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD).

V. ACADEMIC ACTIVITIES OF THE SECRETARIAT OFFICIALS

On March 22, 2000, a group of approximately 15 people visited the Secretariat. They included Swedish experts working in different human rights organizations in Latin America, such as the OAS in Nicaragua, the Office of the Ombudsman in Peru, the Andean Jurists Commission in Peru, and the Inter-American Institute of Human Rights in Costa Rica, and representatives of Swedish cooperation agencies. The Secretary of the Court, Manuel E. Ventura Robles, assisted by Court lawyers made a presentation to them on the daily work of the Secretariat of the Court and the challenges of the inter-American system for the protection of human rights. This talk was given in the context of a training seminar for these officials on human rights and the inter-American system.

On March 22, 2000, at the seat of the Court, the Secretary of the Court, Manuel E. Ventura Robles, assisted by Court lawyers, gave a talk on the Inter-American Court, its advisory and contentious functions and provisional measures in the light of the Court's jurisprudence to a group of students

of the Orange Coast Community College of California, who were attending a political science course given by Roberto de la Ossa, in the Central American Institute of International Affairs.

On March 30, 2000, the Secretary of the Court, Manuel E. Ventura Robles, gave a presentation at the Costa Rican National Association for Economic Promotion on “*The process to reform and strengthen the inter-American system for the protection of human rights?*”. During his presentation, the Secretary referred to all the activities relating to the evaluation of the working of the inter-American system for the promotion and protection of human rights in order to improve and strengthen it. He mentioned the importance of a dialogue initiated with the Committee on Juridical and Political Affairs, in which OAS Member States, the Inter-American Court of Human Rights, the Inter-American Commissions on Human Rights, the Inter-American Institute of Human Rights and representatives of non-governmental organizations had taken part. He also indicated that, in February 2000, an *Ad Hoc* Working Group on Human Rights had met in San José, Costa Rica, established by the Ministers for Foreign Affairs of the OAS or their representatives, which had also issued recommendations on this subject.

From March 22 to 29, 2000, at the invitation of the Human Rights Institute of Catalonia, in Barcelona, Spain, Renzo Pomi, Deputy Secretary of the Court, took part in the 18th Human Rights Course, 2000. This is an activity that this Institute, with which the Inter-American Court has a close relationship based on a cooperation agreement between the two institutions, carries out every year and which assembles well-known Spanish and European professors. It invites law students and officials from the justice sector to take part as students. During his stay in Barcelona, Mr. Pomi took part in a round table with participants in the course, where topics related to the inter-American system for the protection of human rights were discussed, particularly, the work of the Inter-American Court.

From May 8 to 12, 2000, the Secretary of the Court, Manuel E. Ventura Robles, was invited by the Department of International Public Law of the University of Seville, Spain, to give three classes, a seminar for professors, and a lecture at the Lawyers' Professional Association of Seville, on the inter-American system for the protection of human rights. The topics of the classes were: the contentious function of the Inter-American Court of Human Rights; the advisory function of the Inter-American Court of Human Rights, and the process to reform and strengthen the inter-American system for the protection of human rights. The lecture at the Lawyers' Professional Association was about the Inter-American Court of Human Rights, and the subject of the seminar for professors was the process to reform and strengthen the inter-American system for the protection of human rights.

On June 22, 2000, the Court's lawyers gave a talk on the working of the inter-American system for the protection of human rights to a group of 12 second-year law students from Nova Southern University (Florida) and Pennsylvania State University (Pennsylvania), both US institutions. This talk was in the context of a one-month seminar on human rights received by these students at a Costa Rican university.

The Secretary of the Court, Mr. Manuel E. Ventura Robles, gave the lecture “Breast-feeding: A Human Right” on August 1 2000, in the role of opening the activity “Commencement of Breast-feeding Week: A Human Right”, an engagement which took place in the Court. This dissertation

drew on the standard norms present in international systems for the protection of human rights – from the perspective of the universal ambit and applied them to the specific sphere of Costa Rica. The institutions promoting and assisting on the day were: UNICEF, OPS, the Ministries of Health and Education, CCSS, PANI: as well as Non-Governmental Organizations involved in the stated theme.

The Secretary of the Court, Manuel E. Ventura Robles, gave a presentation on “The Scope of Human Rights”, during the Seminar *Human Rights* organized by the Costa Rican Health Workers Federation and the Union Network International, in San José, Costa Rica, on September 7, 2000.

VI. UPDATING OF THE PUBLICATIONS ON THE JURISPRUDENCE OF THE COURT

During the year 2000, was entirely updated the publication series of the jurisprudence of the Court, by the printing and dissemination of the fascicles referred to the following decisions of the Court:

Series A

I/A Court H.R., *The Right to Information on Consular Assistance in the Framework of the Guarantees of Due Process of Law*. Advisory Opinion OC-16/99 of October 1, 1999. Series A No. 16.

Series B

I/A Court H.R., *The Right to Information on Consular Assistance in the Framework of the Guarantees of Due Process of Law*. Advisory Opinion OC-16/99 of October 1, 1999. Series B No. 16.

Series C

I/A Court H.R., *Blake Case*. Judgment of January 24, 1998. Series C No. 36.

I/A Court H.R., *Paniagua Morales et al. Case*. Judgment of March 8, 1998. Series C No. 37.

I/A Court H.R., *Benavides Cevallos Case*. Judgment of June 19, 1998. Series C No. 38.

I/A Court H.R., *Garrido y Baigorria Case. Reparations* (Art. 63(1) American Convention on Human Rights). Judgment of August 27, 1998. Series C No. 39.

I/A Court H.R., *Cantoral Benavides Case. Preliminary Objections*. Judgment of September 3, 1998. Series C No. 40.

I/A Court H.R., *Castillo Petruzzi Case. Preliminary Objections*. Judgment of September 4, 1998. Series C No. 41.

I/A Court H.R., *Loayza Tamayo Case. Reparations* (Art. 63(1) American Convention on Human Rights). Judgment of November 27, 1998. Series C No. 42.

I/A Court H.R., *Castillo Páez Case. Reparations* (Art. 63(1) American Convention on Human Rights). Judgment of November 27, 1998. Series C No. 43.

I/A Court H.R., *Suárez Rosero Case. Reparations* (Art. 63(1) American Convention on Human Rights). Judgment of January 20, 1999. Series C No. 44.

I/A Court H.R., *Genie Lacayo Case. Application for Judicial Review of the Judgment of January 29, 1997*. Order of the Court of September 13, 1997. Series C No. 45.

I/A Court H.R., *El Amparo Case. Interpretation of the Judgment of September 14, 1996*. Order of the Court of April 16, 1997. Series C No. 46.

I/A Court H.R., *Loayza Tamayo Case. Interpretation of the Judgment of September 17, 1997*. Order of the Court of March 8, 1998. Series C No. 47.

I/A Court H.R., *Blake Case. Reparations* (Art. 63(1) American Convention on Human Rights). Judgment of January 22, 1999. Series C No. 48.

I/A Court H.R., *Cesti Hurtado Case. Preliminary Objections*. Judgment of January, 1999. Series C No. 49.

I/A Court H.R., *Durand and Ugarte Case. Preliminary Objections*. Judgment of May 28, 1999. Series C No. 50.

I/A Court H.R., *Suárez Rosero Case. Interpretation of Reparations Judgment*. (Art. 67 American Convention on Human Rights). Judgment of May 29, 1999. Series C No. 51.

I/A Court H.R., *Castillo Petruzzi et. al. Case*. Judgment of May 30, 1999. Series C No. 52.

I/A Court H.R., *Loayza Tamayo Case. Interpretation of Reparations Judgment* (Art. 67 American Convention on Human Rights). Judgment of June 3, 1999. Series C No. 53.

I/A Court H.R., *Ircher Bronstein Case. Jurisdiction*. Judgment of September 24, 1999. Series C No. 54.

I/A Court H.R., *Constitutional Court Case. Jurisdiction*. Judgment of September 24, 1999. Series C No. 55.

I/A Court H.R., *Cesti Hurtado Case*. Judgment of September 29, 1999. Series C No. 56.

I/A Court H.R., *Blake Case. Interpretation of Reparations Judgment* (Art. 67 American Convention on Human Rights). Judgment of October 1, 1999. Series C No. 57.

I/A Court H.R., *Del Caracazo Case*. Judgment of November 11, 1999. Series C No. 58.

I/A Court H.R., *Castillo Petruzzi et. al. Case. Concerning compliance with the judgment*. Order of the Court November 17, 1999. Series C No. 59.

I/A Court H.R., *Loayza Tamayo. Case. Concerning compliance with the judgment*. Order of the Court November 17, 1999. Series C No. 60.

I/A Court H.R., *Baena Ricardo et. al. Case, Preliminary Objections*. Judgment of November 18, 1999. Series C No. 61.

I/A Court H.R., *Cesti Hurtado Case. Concerning request for interpretation of the judgment.. Interpretation*. Order of the Court of November 19, 1999. Series C No. 62.

I/A Court H.R., *Villagrán Morales et. al. Case*. Judgment of November 19, 1999. Series C No. 63.

Series E

Provisional Measures No. 2

COMPENDIUM: July 1996 – June 2000

Others

Basic Documents pertaining to Human Rights in the Inter-American System
(Updated to December 1999)

VII. ADMINISTRATIVE AND FINANCIAL MATTERS

An audit was carried out on the financial state of the Interamerican Court for the fiscal period of 1999 by the firm Independent External Auditors Venegas, Pizarro, Ugarte & Co., Authorized Public Accountants, representatives of the firm HLB International in Costa Rica.

The audit included all the funds issued by the OAS as well as the contribution of the State of Costa Rica for the same period. The financial affairs are the responsibility of the administration of the Interamerican Court and the auditing provided it with the aim of determining the validity of financial transactions executed by the court, taking into account the generally accepted principles of accountancy and auditing.

According to the report on February 28, 2000, by the firm of Authorized Public Accountants, the financial affairs of the Court adequately express the financial and patrimonial position of the institution, as well as revenue, payments and cash flow for the period of 1999, which were found to be in conformity with the accepted general principles of accountancy, non-lucrative entities (as in the case of the Court) and applied to consistent principles.

It can be seen from the report presented by the independent auditors that the internal book-keeping system, used by the Court, is sufficient to register and control its transactions and that they use reasonable commercial practices to insure the most effective use of the proportioned funds.

Copies of this report were sent to the Financial Services Department of the OAS and to the Inspector General of the Organization.

International Cooperation

In the area of International Cooperation, during the present year, satisfactory conclusions were arrived at in three projects which were implemented with funds provided by international organizations which support the work of the Court, particularly in equipping and buying books for the Library, as well as in the area of publications. In due course they presented the financial and technical reports for the projects "Support for the Inter-American Court of Human Rights, Stage 3", with the European Union; the Cooperation Agreement with the Spanish Agency of International Cooperation and the Cooperation Agreement with the Danish Center of Human Rights.

Approval of the 2001 budget for the Court

The General Assembly of the Organization of American States approved in its XXVII Special Session held in Washington D.C., on October 12, 2000, the Court's budget for the year 2001 in a total of US\$1,284,700.00 (one million two hundred eighty four thousand and seven hundred dollars of the United States of America).

Although, the budget of the Inter-American Court is financed by the OAS, there is also a grant donated by the Government of Costa Rica to the Court by a total of US\$ 100,000.00 (one hundred thousand dollars of the United States of America), as part of its commitment when signing the Agreement with the Host Country in 1983. This total has been already approved by the Government of Costa Rica in the budget of the year 2001.