

**THE INTER-AMERICAN INSTITUTE OF HUMAN RIGHTS****ANNUAL REPORT  
JANUARY-DECEMBER 1994****Grant No. LAG-0591-G-00-2049-00****INTRODUCTION:**

In accordance with the regulations of the donation LAG-0591-G-00-2049-00 (hereinafter, Donation 2049) from the United States Agency for International Development (hereinafter, USAID) to the Inter-American Institute of Human Rights (hereinafter, IIHR or the Institute), the IIHR submits its annual report on activities taking place between January-December 1994, which were in whole or in part funded by USAID. The overall period of Donation 2049 is from July, 1992 to June, 1997.

**IIHR - BACKGROUND:**

The Inter-American Institute of Human Rights (IIHR) is an autonomous international institution of an academic nature devoted to human rights education, training, research and promotion. It was created in 1980 under an agreement between the Inter-American Court of Human Rights and the Republic of Costa Rica. The Institute's mandate encompasses the entire Western hemisphere and its headquarters are located in San José, Costa Rica.

The IIHR governing body is its Board of Directors, which is comprised of twenty-six experts in the field of human rights from fifteen countries of the Americas. Program execution is the responsibility of the Executive Directorate and the IIHR technical and administrative staff.

**OBJECTIVE:**

The objective of the Inter-American Institute of Human Rights is to promote respect for human rights and contribute to the consolidation of the democratic process in Latin America through educational activities, academic research, training projects and technical assistance. Since its inception, the IIHR has carried out its mandate on the basis of: a) an academic perspective of human rights theory and issues; b) an emphasis on pluralism among the sectors it serves, enabling it to bring together participants from the widest variety of backgrounds, ranging from the Latin American military to human rights non-governmental organizations (NGO); c) the integration of interdisciplinary viewpoints, so as to analyze human rights from more than simply a legal standpoint; d)

the basic premise that the effective exercise of human rights, the rule of law and democracy are interdependent concepts.

Following a reorganization of the structure of the IIHR, its activities of the IIHR are divided into the following main areas:

**a. Education in Human Rights**

This area is responsible for the design, implementation and evaluation of educational projects for internal as well as external use. It is comprised of five units: 1) **Institutional Courses Unit**, which designs and implements the Interdisciplinary Course, the Specialized Regional Course and the Course on Politics and Elections; 2) **Educational Unit**, which designs, develops and evaluates the educational projects of the IIHR; 3) **Information Unit**, which manages and develops the Joint Library and Documentation Center in coordination with its counterpart of the Inter-American Court of Human Rights; 4) **Publications Service Unit**, which is responsible for the production, publication and distribution of IIHR printed materials; and 5) **Courses Unit**, which provides the advisory services and logistical support necessary for the different activities related to the programs.

**b. Public Institutions**

Two priority projects are currently being implemented in this area: 1) **Administration of Justice**, which provides advisory services to judiciary schools in Central America and training for judges on the practical application of international and constitutional human rights provisions; and 2) **Military Forces and Police**, which develops seminars and technical missions; these activities have been influential in the preparation and implementation of the curricula of police training centers.

In like manner, specialized courses are organized on topics such as the Ombudsman, Economic Rights and Development, the Environment, Youth and Politics, and Journalism and Human Rights.

**c. Civil Society**

In accordance with the basic principles of human rights, the IIHR is continuously involved in the struggle against any type of discrimination. This program includes specific projects relating to women -with a focus on gender- and to indigenous, refugee and displaced populations.

The non-governmental organizations program organizes activities that train NGO members on theoretical and practical aspects of the protection of human rights, which includes providing information on human rights instruments and mechanisms.

#### **d. Center for Electoral Assistance and Promotion (CAPEL)**

Through work with electoral bodies, parliaments and political parties, this program helps strengthen the full observance of political rights in the different countries of the hemisphere. CAPEL is made up of three units: 1) **Technical Assistance**, which provides direct aid to electoral bodies; 2) **International Cooperation**, which observes elections and has responsibilities with respect to the Protocols of Quito and Tikal; and 3) **Political Participation**, which conducts research on constitutional and legal matters regarding the electoral process, as well as projects with political parties.

#### **EXAMPLES OF THE IMPACT OF IIHR ACTIVITIES**

The IIHR carries out an average of 150 activities per year -including courses, seminars and workshops- with a total of approximately 6000 direct participants, who have been selected primarily for their potential as agents who can multiply the effects of the activity by influencing the human rights situation in their countries. The implementation of such a large number of activities is made possible by the support of donors such as USAID, as well as the help of a support network composed largely of its alumni, through whom it enjoys access to human rights-linked sectors throughout the hemisphere. The annual Interdisciplinary Course, which has been held for the past 12 years, is most noteworthy in that it has been attended by 1437 participants selected from a total of 6780 applicants. Through this course the IIHR brings together ambassadors, Foreign Ministry officials, leaders of non-governmental organizations, representatives of governmental human rights agencies, members of the military and educators to learn about and discuss human rights issues. The IIHR has had an impact in almost all the countries of the hemisphere through its educational and training projects and through the 40 publications that it issues each year. As a result, the IIHR reaches an extensive audience in countries where its specialized services are in great demand. Consequently, the resources that the Institute receives are maximized inasmuch as they are used to reach large target groups throughout the hemisphere.

The IIHR has been a pioneer in its ability to mediate between or bring together different sectors and groups in the interest of furthering respect for human rights. The Institute is called upon by international organizations to provide its services and share its experience in specialized areas of human rights. For instance, the United Nations High Commissioner for Refugees (UNHCR) asked the IIHR to act as mediator between government agencies and refugee groups in Central America (1991-92) and to host a hemisphere-wide meeting in commemoration of the tenth anniversary of the Protocol of Cartagena (1994). The directors of 25 Central American non-

governmental organizations sought the IIHR's assistance in preparing an agenda for future action (1993). The IIHR has also volunteered its facilities and assistance to encourage human rights dialogue within groups such as the Latin American military. The IIHR hosted the first meeting of Central American Defense and Security Ministers with the purpose of setting up a training program in human rights for the region's security forces (May 1992), which was followed by the Second Inter-regional Conference on Democracy, Human Rights, Military Forces and Police (Quito, 1994). The services of the IIHR executive staff and board members are also being recruited. For instance, the President of the IIHR Board was a United Nations Advisor on El Salvador (1992-93); the Vice President formed part of the civilian mission set up to mediate in Haiti (1991-92); the Honorary President was a member of the UN Truth Commission in El Salvador (1992-93); and the current Executive Director has been invited to be an Expert on the Adoption of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and is a member of the OAS Commission of Jurists for Nicaragua.

Various well-respected international organizations make use of the consistently high quality of services performed by the IIHR. For example, the UNHCR chose the IIHR as a custodian of its documentation; the Partnership for Democratic Development in Central America (PDD) has asked the IIHR to conduct all its human rights and election-related technical studies; the United Nations Mission to El Salvador (UNOSAL) commissioned an evaluation of its human rights education activities; and international donors have commissioned evaluations of governmental and non-governmental human rights education programs in Colombia, El Salvador and Guatemala. In addition, the Institute organized a meeting of regional NGO prior to the Regional Preparatory Conference for the World Congress on Human Rights in order to plan strategies for the Vienna meeting (1993). It will do the same this year for the Summit of Beijing.

Governments also seek the assistance of the IIHR. For example, Colombia requested technical assistance regarding displaced persons and the IIHR has been asked to examine the administration of justice in both Paraguay and Bolivia. This would include an analysis of the level of independence and autonomy of the judiciary, its relationship with the other branches of government, the laws that regulate it and the adaption of the domestic legislation of these two countries to the international human rights treaties that they have ratified.

The impact of certain IIHR programs can be easily evaluated, especially in the area of campaigns carried out by the IIHR Center for Electoral Assistance and Promotion (CAPEL) as part of its programs or its efforts to "get out the vote." CAPEL's projects have contributed to an increase in voter registration of more than 50% in some countries (Nicaragua, general elections of 1990;

Bolivia, municipal elections of 1991; Panama, elections of May 1994). In addition, an IIHR course on the rights of displaced persons led to the creation of an active hemisphere-wide network that has already presented draft international instruments on this subject based on the legislation of the United States and a number of Scandinavian countries.

A longer-term objective has been to play a decisive role in changing people's attitude toward human rights in Latin America. Above all, the IIHR has endeavored successfully to give human rights a "cleaner" image. Whereas the term "human rights" was once considered by some to be the catch phrase of subversives in Latin America, it is now voiced regularly in governmental declarations, as at the summit meetings of Latin American presidents. The IIHR has also had an important role in the significant breakthrough of establishing governmental human rights offices: it has contributed directly to the creation and consolidation of such offices in Guatemala, El Salvador, Costa Rica, Colombia, Bolivia, Honduras and Paraguay. CAPEL's achievements in strengthening Electoral Tribunals in Latin America are also well recognized. Additionally, the IIHR has exerted intensive efforts to promote the American Convention on Human Rights. In general terms, no one can deny that respect for human rights in Latin America has grown: members of the military have gone on trial for human rights violations in Honduras; the Human Rights Ombudsman was chosen by consensus to fill the office of president in Guatemala; the current President of Honduras served as a judge on the Inter-American Court of Human Rights; and the Vice President of Bolivia has been an active contributor to the IIHR's indigenous programs. According to the reports of independent international organizations, respect for human rights in Latin America has increased markedly in recent years. The IIHR has made a decisive contribution to this change of attitude.

The IIHR is in an influential position from which it can bring together different sectors and exercise great leverage (a prerequisite for an institution of this kind in Latin America). The human rights situation in Latin America is still far from perfect. Many obstacles to the consolidation of democratic institutions remain and violations of fundamental rights still occur. The IIHR has helped, through the impact of its programs, to get across a new and articulate message concerning the need to respect human rights.

Unfortunately, the nations of Latin America are still not in a condition to pay for these essential services. The IIHR, therefore, is dependent on external funding from those in developed nations who realize the importance of the observation of basic human rights for all people. The contributions provided by USAID are essential to the continued effectiveness of human rights educational and training programs in Latin America.

## I. ACTIVITIES IN HUMAN RIGHTS EDUCATION AND TRAINING

### 1. INTERDISCIPLINARY COURSE ON HUMAN RIGHTS

The Inter-American Institute of Human Rights initiated the Interdisciplinary Course on Human Rights in 1983 and has held it each year thereafter. The Course has become the centerpiece of IIHR activities and is recognized by human rights scholars and activists as the finest of its kind in Latin America, if not in the world.

The XII Course was held July 19-30 and was attended by 114 participants, who were chosen from 1095 applications. The Course was financed principally by USAID, as in the past, the Ford and MacArthur Foundations, and the Governments of Norway and Sweden. Additional contributions were provided by the Canadian International Development Agency, the Commission of the European Union, the International Committee of the Red Cross, UNICEF, UNDP and the UN High Commissioner for Refugees.

The participants, who came from twenty-six countries, were almost evenly divided between women (52%) and men and represented a broad range of professions ranging from lawyers (40%) to educators, members of the medical and military professions, staff of governmental and non-governmental organizations, etc.

The Course, inaugurated by the Presidents of Costa Rica and Honduras, the latter a former Vice President of the IIHR, was comprised of lectures by renowned human rights experts and included a film forum on discrimination and workshops. Some of the topics covered were: current challenges for democracy in Latin America; the relationship between sustainable development and economic, social and cultural rights; the role of NGOs; customary law and indigenous peoples; state responsibility for human rights violations; the ombudsman; international humanitarian law; education and discrimination; and human rights of women.

The Interdisciplinary Course was evaluated by three different methodologies: an extensive questionnaire distributed to all participants at the end of the Course; evaluation sessions during the Course by a sampling of participants; and direct observation by organizers.

The evaluation showed that 93.5% of the participants judged the Course as excellent; 100% thought that the lectures and panel discussions had practical applications for their work; most judged the materials distributed to be of high quality and very useful for delving further into human rights issues.

## **2. SPECIALIZED COURSES**

Specialized Courses provide professional training on different topics involving human rights. Each Area of the IIHR sponsors this type of course, targeted at specific populations.

### **a) Regional activities to promote the Office of Ombudsman**

The Office of Ombudsman has been established in several Latin American countries, often with the assistance of the IIHR. These Offices represent a significant advance in the institutional development of the protection of human rights at the national level.

#### **a.1) Seminar-Workshop on the Ombudsman in Bolivia and Progress in its Institutionalization in Latin America**

This activity, held June 6-7 in La Paz, Bolivia, was particularly important because it occurred while the Bolivian Congress was amending the Constitution to include, among other items, a section that would institutionalize the Office of Ombudsman.

Through this Seminar, members of Congress and their staff, political parties, journalists and institutions interested in the topic were informed of the history of the ombudsman, its evolution in different countries and the existing comparative legislation. The participants, thus, had a full understanding of its importance, scope and powers as well as the service that it provides the public as a symbol of democracy, a promotor of human rights and an effective mechanism of social participation. The IIHR has also been active in the consolidation of the Human Rights Commissioner's Office in Honduras and the creation of a similar office in Paraguay.

#### **a.2) First Workshop for Ombudsmen and Attorneys General of Human Rights in Latin America**

Almost every Ombudsman and Human Rights Commissioner of Latin America participated in this Workshop, which was held June 15-17 in San José, Costa Rica. Some 50 observers from throughout the region also attended.

The principal achievement of this activity was the Declaration of San José, which represents a first step in technical, academic and political cooperation among the Ombudsmen of the hemisphere.

**a.3) Joint Activities with the Office of the Ombudsman of Costa Rica**

A National Meeting took place July 22-24 in San José with a broad participation that represented the social, economic and cultural sectors of the 81 cantons of the country. Local meetings had been previously held to elect delegates to the National Meeting with the idea of creating a network of "citizen defenders." In addition, an art contest "Human Rights as Seen from the Perspective of Duties" ran from August 12 to October 12, 1994 for Costa Ricans between the ages of 12 and 18. Selected works were then exhibited and the winners were announced on December 10, Human Rights Day. Some of the entries will be used for publications, reproductions, etc.

**b) Activities regarding the Disabled**

This is another new area in which the Institute has become involved. There has been an increasing emphasis placed on the human rights of the most vulnerable sectors of society, which is reflected in the activities of the IIHR.

**b.1) Meeting of Experts to Analyze the Draft Convention against Discrimination of the Disabled**

In recent years the Organization of American States has sponsored a number of regional conventions regarding specific human rights or those of specific populations: e.g. torture; the death penalty; indigenous peoples. Another normative advance occurred at the beginning of the year when the Government of Costa Rica presented a draft convention regarding the disabled to the OAS. The IIHR organized and sponsored a Meeting of Experts that was held November 21-22, 1994 in Washington, DC to discuss the draft. The Experts debated the need to create a normative standard in this area and the scope and limitations of existing international standards on the topic. The final result of the Meeting was a clear consensus on the draft as amended. It was also decided to seek a final text to be recommended to the OAS General Assembly, which is responsible for its adoption and for opening it for ratification.

**b.2) Report of the Latin American Workshop for the Study of the Draft Convention against Discrimination of the Disabled**

An important precedent to the Meeting of Experts was the Latin American Workshop to Study the Draft Convention, which was held September 14-16, 1994 in Tegucigalpa, Honduras. The Workshop, in which participated NGOs and which sought to improve the text of the draft, was divided into two stages: lectures by international experts and analysis and discussion of the text of the Draft Convention.

**c. Activities involving Economic, Social and Cultural Rights**

Over the years the IIHR has emphasized the interdependence of the so-called first generation of human rights (civil and political) and the second generation (economic, social and cultural). This concept is now well-accepted at the universal as well as the regional level.

**c.1) Seminar for Parliamentarians and Trade Union Officials on Economic Rights**

The importance of economic, social and cultural rights in the development of a democratic society and their urgent application in Nicaragua and the rest of Central America was carefully analyzed at this Seminar, which took place October 6-7 in Managua, Nicaragua.

The Seminar, co-sponsored by the Universidad Centroamericana, was attended by some 100 trade union representatives, workers and members of the National Assembly.

**c.2) Seminar for Ecological Leaders on the Environment and Human Rights**

Representatives of 14 environmental groups and 26 community leaders dedicated to protecting the environment met June 22, 27 & 30 in San José, Costa Rica to learn how to use the legal instruments in force in Costa Rica regarding the environment. The Seminar was co-sponsored with the Center of Environmental Law and Natural Resources and brought together Costa Rican organizations that work in the area for a free exchange of experiences that will enable them to coordinate their activities.

**c.3) International Symposium on Education in Human Rights in light of the Needs of Democracy**

This Symposium, held October 24-26 in Mexico City and co-sponsored by the Academia Mexicana de Derechos Humanos, was convoked to conduct a critical examination of the situation of education in human rights and to assess the contributions that it can make to the process of democratization. The IIHR conducted a workshop "Education in human rights: new subjects and target groups in Latin American society at the end of the century."

#### **d. Activities in the Area of the Administration of Justice**

##### **d.1) Seminar-Workshop on Drafting a Profile for a Juvenile Judge**

It was not until the end of 1992 that provision was made in Bolivia for a juvenile law that included the concept of juvenile judges. The IIHR convoked this event, held June 7-8, 1994 in Sucre, Bolivia, to acquaint Bolivian judges with the importance and characteristics of juvenile judges in the Bolivian judiciary and to draw up a profile to aid in their selection in each Department of Bolivia.

The Seminar-Workshop, attended by representatives of the different branches of government and by lawyers who work in juvenile matters, compared the present law with international norms, especially the International Convention on the Rights of the Child.

#### **3. PRODUCTION OF EDUCATIONAL MATERIALS**

##### **a) Design and production of an educational video for computers**

The main purpose of this Video Game for computers is to teach the basic principles of human rights to children between the ages of 11 and 16. The IIHR decided to produce a Video Game on human rights in order to contribute to raising the quality of education in Latin America with an inter-active material, which is modern in its content and methodology.

The project has four phases: 1) Analysis: identifying the scope, methodology and the metaphor to be used; 2) Design: establishing the paradigm of interaction with the user and the specifics of the system; 3) Implementation: programming the system with the potential users; 4) Proof: supervised demonstrations on personal computers. When the third phase is finished in approximately one month, the final phase will begin.

##### **b) Sub-titling of videos**

During the year two videos "Diferentes pero iguales en derechos" and "En la escuela y en la vida" have been furnished with English sub-titles.

## **II. CREATION AND DIFFUSION OF THE DOCTRINE OF HUMAN RIGHTS**

### **1. INDIGENOUS PEOPLES AND HUMAN RIGHTS PROJECT**

During the past four years the Institute, through its Indigenous Peoples and Human Rights Program, has been conducting a series of meetings on the human rights of indigenous peoples. These workshops, together with consultancies, have brought together indigenous leaders, anthropologists, governmental officials, experts and others who work in indigenous affairs. As a result, important information exists on human rights and indigenous peoples that is useful in drafting an Inter-American Treaty on the Rights of Indigenous Peoples, on which the IIHR has been working since 1990 in conjunction with the Inter-American Commission on Human Rights.

#### **a) Workshop on Constitutionality and Rights of Indigenous Peoples**

Part of the campaign for the adoption of a convention, this Workshop was held in conjunction with the Office of the Attorney General for Human Rights of Guatemala and took place March 3-4, 1994 in Guatemala City. The 55 participants, jurists and experts from the Americas and Europe, discussed the constitutional basis of indigenous rights and the relationship with customary law. Among the topics covered were: a comparative analysis of recent constitutional changes in the Americas that deal with indigenous rights; Convention 169 of the ILO and the need to promote constitutional and statutory modifications for its ratification and entry into force; analysis and consequences of the acceptance of the concept of the rights of indigenous peoples in relation to present constitutions; comparative analysis of the regimes of autonomy and the constitutions in Nicaragua, Panama, Canada and other countries.

The Workshop and papers presented by the experts led to an exchange of ideas on the aforementioned aspects and definitions were formulated on autonomy, self-determination, population and territory, very sensitive topics for indigenous peoples.

### **2. PROJECT ON REFUGEES, DISPLACED AND REPATRIATED PERSONS**

The principal objective of this Project is to develop integrated solutions to the ever-growing problem of violent displacement in the hemisphere. The Project was especially active this year in Colombia and Peru, two countries hit hard by violence.

#### **a) Permanent Consultation on Internal Displacement**

The work of the Permanent Consultation has been recognized in the Report on Internally Displaced Persons of the Representative of the UN Secretary General on the topic, which was presented to the UN Human Rights Commission. The Representative, in reporting on activities in Colombia, noted "the significant advances on definitional, methodological and legal issues" made by the Permanent Consultation.

#### **b) Displacement in Colombia**

There were some eight seminar-workshops held in Colombia during the year, the objectives of which were the acquisition of basic elements to comprehend the phenomenon of displacement and its consequences; define policies and strategies to confront the problem (economic, legal, social, etc.); seek mechanisms of prevention and protection. In addition, technical assistance was provided in the form of a meeting of a research group, comprised of 15 participants (specialists and representatives of groups that deal with internal displacement).

#### **c) Displacement in Guatemala**

The Permanent Consultation on Internal Displacement in the Americas met to discuss a request for technical assistance presented by the National Commission for Attention to Refugees, Repatriated and Displaced Persons of Guatemala. A visit was made to Guatemala to interview representatives of pertinent local and international bodies to analyze some of the main characteristics of the phenomenon in that country. As a result, it was decided not to carry out the technical mission to Guatemala in 1994.

#### **d) Displacement in Perú**

There were two activities in Perú in 1994: a training-workshop on "The Future of Displaced Persons," the objective of which was to train leaders of the displaced in organizing, planning and negotiating the insertion or return of the displaced; and a forum to give displaced persons from the Altiplano sufficient information on the viability of projects so as to assist them in their return to their communities of origin or their insertion in Lima.

### **3. OUTREACH PROGRAM**

The IIHR has utilized this program to influence the process of democratic transition in Latin America by disseminating the doctrine of human rights to the different sectors and groups and by facilitating an exchange of information among the countries of the hemisphere. In particular the IIHR Editorial Unit complied with point 2 of the Grant that refers to the creation of doctrine and its dissemination and item c by making available to a broad public the new debate on human rights and communicating information on different institutional projects and activities.

#### **a) Two Revistas of the IIHR**

The Revista is a bi-annual publication that informs on the principal events concerning human rights that have occurred during the period, with special emphasis on the inter-American system. It includes articles on matters of current interest plus information on the activities of the Inter-American Commission and Court of Human Rights and other bodies of the OAS as well as the United Nations and legislation and jurisprudence of interest.

During the year Nos. 18 & 19 were published. The former contains an article on the World Conference of Human Rights by Antonio Cançado Trindade and the Amicus Curiae brief prepared by Americas Watch and CEJIL on the interpretation of Article 4 of the American Convention, which was presented to the Inter-American Court for its discussions on Advisory Opinion No. 14. The latter includes an essay by Germán Bidart Campos on "La interpretación del sistema de derechos humanos" where he presents the case for an interpretation of the system that would include the international law of human rights. In addition, Jo Pasqualucci examines the jurisprudence of provisional measures adopted in the inter-American system, with reference to precedents of the International Court of Justice and the European system of protection.

#### **b) Newsletter (English/Spanish)**

The Newsletter is issued quarterly in separate Spanish and English editions to disseminate information on the activities in Latin America of the different areas of the IIHR in compliance with its mandate of training, promotion and dissemination of human rights. During the year Nos. 34, 35, 36, 36 bis and 37 were published. A special edition (36 bis) was issued in recognition of the work accomplished by Sonia Picado Sotela as Executive Director of the IIHR and to introduce Antonio A. Cançado Trindade as the new Director.

**c) Syllabus**

Work on the Syllabus has been postponed until 1995.

**d) Anthology of Advanced Studies**

Publication of the Anthology has been postponed until 1995.

**e) Institutional brochure**

Meeting a need that has existed for many years, this brochure was published to promote the work of the IIHR, especially to introduce the Institute to prospective donors.

**III. CENTER FOR ELECTORAL PROMOTION AND ASSISTANCE (CAPEL)**

CAPEL is the Institute's specialized division that specifically supports the transition to and the consolidation of democracy in Latin America. It provides technical assistance to the region's electoral tribunals, particularly in the preparation of elections. USAID Donation 2049 gave priority to CAPEL with respect to administrative assistance and the carrying out of several specific activities.

**1. Administrative Support**

AID funds were utilized to help defray the salaries of CAPEL staff and other administrative costs.

**2. Technical Assistance to Electoral Organizations**

During 1994 technical assistance to electoral organizations was carried out with grants from other funding agencies.

**3. SECRETARIAT OF ELECTORAL ASSOCIATIONS**

In its role as Secretariat of the Electoral Associations of South America (Protocol of Quito) and Central America and the Caribbean (Protocol of Tikal), CAPEL arranged for the following meetings:

**a) IV Conference of the Association of Electoral Organizations of South America**

This Conference took place September 5-7 in Santa Cruz de la Sierra, Bolivia with participants from nine countries. Among its recommendations were: strengthen the independence and autonomy of its members; promote participation in the electoral process through civic campaigns; improve communications among the members; continue observation missions to countries where elections are being held; hold seminars for staff of electoral bodies; exchange information on matters of mutual interest.

**b) IX Conference of the Association of Electoral Organizations of Central America and the Caribbean**

Participants from seven member and two observer countries met November 21-24 in Puntarenas, Costa Rica. Among the matters discussed: fostering and strengthening the independence of electoral bodies through constitutional reforms; promoting permanent civil and electoral registries that are true and current; promoting civic education.

**4. MISSIONS OF ELECTORAL TECHNICAL ASSISTANCE (OBSERVATION MISSIONS)**

These missions are important because they not only inform the world at large about the manner in which the elections were carried out but also present recommendations to the countries concerned so that future elections are more efficient and more transparent. This year was marked by a large number of elections to which CAPEL sent electoral experts as observers.

- a) Referendum on Constitutional Reform, Guatemala, held on January 30, 1994.
- b) General Elections in Costa Rica, held on February 6, 1994.
- c) Regional Elections in the Atlantic Coast of Nicaragua, held on February 27, 1994.
- d) Legislative and Municipal Elections in Ecuador, held on May 1, 1994.
- e) General Elections in the Dominican Republic, held in May 1994.
- f) Presidential Election (Second Round) in Colombia, held June 19, 1994.
- g) Legislative Elections in Guatemala, held August 14, 1994.
- h) General Elections in Mexico, held August 21, 1994.
- i) Referendum on Electoral Reform, Ecuador, held August 28, 1994.
- j) General Elections in Brazil, held October 3, 1994.
- k) General Elections in Uruguay, held November 27, 1994.

## **5. EDUCATION**

### **a) Seminar on "Electoral Campaigns: Electoral Organization"**

Co-sponsored by the National Electoral Council and the National Registry of Colombia, this Seminar was held on April 20, 1994. CAPEL aided in the academic design of the Seminar and in choosing the speakers. Among the areas dealt with were: the relationship between political parties, the mass media and civil society; political campaigns; elections and democracy.

### **b) Training course on the "Application of Information Systems to Electoral Processes"**

This activity was co-sponsored by the Spanish Agency of International Cooperation and held February 9-11 in Santa Cruz de la Sierra, Bolivia with participants from 16 countries. Some of the topics considered were: technical efficiency and political legitimacy in electoral administration; application of information systems to electoral processes, in the specific cases of the civil registry, voting lists, identification documents, vote tabulation and mechanisms of control.

## **6. RESEARCH PROJECTS**

### **a) Political parties in Latin America**

#### **a.1) Directory of Political Parties in Latin America**

A recompilation of general information on the principle parties of Central America and Panama in 1994, such as founders, statutes, composition of political committee, years in which they have won, etc. Information on Costa Rica, El Salvador, Guatemala and Panama has been gathered and classified. Information on Nicaragua has been gathered but that on the two principal parties of Honduras is lacking. Meetings were held in both countries with each of the political parties with the purpose, not only to obtain the necessary information, but also to make pertinent contacts.

### **b) Comparative electoral legislation**

#### **b.1) Comparative Electoral Law Project**

This project carried out in conjunction with the University of Heidelberg, Germany has as its main purpose the publishing of a book on the comparative electoral laws of Latin America, which will include a systematic analysis of the different topics of electoral law. A workshop was held in April 1994 in Heidelberg where the contents and the general structure of the book were discussed with European participants.

## **7. DISSEMINATION OF INFORMATION (PUBLICATIONS)**

CAPEL has maintained a strong publications department to provide electoral information and assistance in a field where there had existed little information. The following CAPEL publications were issued in 1994 with AID funds:

### **a) "Boletín Electoral Latinoamericano" Series**

Covering the first semester of 1994, this Newsletter (#11) includes the following sections: electoral reports on the Popular Referendum of Guatemala, Regional Elections of the Atlantic Coast of Nicaragua, General Elections of Costa Rica, El Salvador, Panama and the Dominican Republic and Presidential and Legislative Elections of Colombia. It also includes a section of analysis and opinion, pertinent documents and a calendar of elections in Latin America during the second half of the year.

### **b) "Cuadernos de CAPEL" Series**

Among the most important publications of CAPEL are the Cuadernos, which deal with different electoral topics -national cases and general analysis, political parties and electoral systems in global terms. In Cuaderno No. 37 "La representatividad de los sistemas electorales," Francisco Fernández Salgado, Professor of Constitutional Law of the University of Santiago de Compostela, Spain, presents a theoretical explanation of the electoral system. In Cuaderno No. 38 "Partidos políticos y elecciones en el Perú (1978-1993)," Fernando Tuesta Soldevilla, a Peruvian sociologist, writes on the role of political parties in representative democracies.

### **c) Reports on elections held in:**

- c.1) El Salvador
- c.2) Dominican Republic
- c.3) Panama
- c.4) Colombia

These technical evaluations were published as were those on the elections listed in Part III.4 of this Annual Report in which CAPEL sent an observation mission.

### **d) Political parties and governability**

The book "Partidos y Clase Política en América Latina en los Años 90" was published in February 1995 and is the result of research conducted by more than thirty North and Latin American scholars on matters related to political parties in the contemporary era, such as the crisis of political parties, the question of democratic governability, the role of political parties in the transition to

democratic regimes and forms of neo-populism or the appearance of "non-politicians" in politics.

- e) **"Boletín Informativo de la Unión Interamericana de Organismos Electorales," Nos. 1, 2, 3 & 4. (Newsletter of the Inter-American Union of Electoral Organizations, Nos. 1, 2, 3 & 4).**

In its role as Executive Secretariat of this Association, CAPEL publishes a newsletter that contains a calendar of the elections that were held during the preceding quarter and the official results, with details of the observation missions organized by CAPEL; changes in the composition of electoral bodies; activities of each member and of the Associations of the Protocols of Quito and Tikal and the Inter-American Union of Electoral Organizations, and documents received.

- f) **"Directorio de Organismos Electorales 1994"**

Undoubtedly one of the most important factors in the development of the associations of electoral organizations is the exchange of information among its members. CAPEL, as the Executive Secretariat of the three associations, has fostered the strengthening of the channels of information and the development of a policy of horizontal cooperation among them. The publication during two consecutive years of the Directory of Electoral Organizations has contributed greatly to this cooperation. Also being published is the "Directorio de Partidos Políticos de Centroamérica y Panamá, which will soon be available.

- g) **"Guía Bibliográfica sobre Procesos Electorales y Partidos Políticos en América Latina 1980-1992"**

One of the traits of the transition to and consolidation of democracy in Latin America is that of the holding of a numerous elections. Manuel Alcántara, Ismael Crespo and Antonia Martínez present a systematized bibliography of the literature that has been published on this topic.

#### **IV. SPECIALIZED CONFERENCES**

1. **Colloquium to Commemorate the Tenth Anniversary of the Cartegena Declaration on Refugees**

This specialized conference was held December 5-7, 1994 in San José, Costa Rica. The Colloquium was co-organized by the UNCHR and the IIHR, under the auspices of the Government of Costa Rica. Government officials and experts from more than 20 North, Central and South American and Caribbean countries attended the Colloquium.

At the Colloquium, the participants adopted the "San José Declaration on Refugees and Displaced Persons," which in addition to reiterating the validity of the principles embodied in the Cartagena Declaration, deals with the current situation of refugees and other populations affected by violence, and proposes guidelines for the search for solutions to their plight. The San José Declaration is an important document for the legal analysis and the treatment of those persons who are forced to leave their homes because of persecution or generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances that have seriously disturbed public order.

The San José Declaration is destined to become an important precedent for dealing with the problems of refugees and displaced persons, and its influence should extend to the entire hemisphere.

## **V. LIBRARY AND DOCUMENTATION CENTER**

The Institute continues to be proud of the Joint Library and Documentation Center that it shares with the Inter-American Court of Human Rights. The Library and Documentation Center, the most extensive in Latin America on the topic of human rights, serves IIHR staff, external researchers, students and others with an interest in the matter.

### **1. LIBRARY**

#### **a) Acquisition of books**

During the year, some 350 books and reports were purchased to keep the Library up-to-date in human rights developments. These publications reinforce several areas and, in some cases, fill gaps that have existed.

### **2. DOCUMENTATION CENTER**

#### **a) Acquisition and subscription of publications**

Fifteen new periodicals were contracted for on the following topics: NGOs on development, situation of Latin American women, right to shelter, right to a healthy environment, among others.

### **3. ELECTRONIC MAIL**

#### **a) Operation of electronic mail for external communications**

This service was cancelled during the year because a lack of personnel made it impossible to gather the information offered by the electronic mail.

#### **4. EXCHANGE**

The Joint Library continues to participate in the exchange of documents with other libraries, NGOs and other organizations that publish items of interest.

#### **5. REPORTS**

Two reports were produced on the situation of human rights in 21 countries of Latin America and the Caribbean. The first corresponds to the second semester of 1993 and the second to the first semester of 1994. Both are available in written form or on diskette.

In addition, Newsletter No.7 of the bibliographic series on refugees was published. It contains some one hundred references on new materials covering this topic.

#### **6. DATA BASE**

Work was continued on the data base already established on the books and documents. Approximately 1,000 new entries were incorporated into the data base.

#### **7. INFORMATION PROCESSING**

Some 4,500 documents acquired through purchases or donations during 1993 were classified. In addition, the Kardex of new reviews and newsletters was kept up-to-date. The Center is receiving about 180 periodicals per month.

The IIHR has drawn on its experience to produce a CD that will contain the principal human rights instruments, resolutions and jurisprudence on the universal (UN), regional (inter-American) and national (countries of the hemisphere) levels. This CD will be world leader in its field since the only one now available has been produced by the United Nations but, unlike that of the IIHR, it contains only references to but not the texts of the documents. The research has been completed and the first CD is expected to be available during the month of July 1995. The recompilation of these data will enable an information service to be opened through Internet.

## **VI. INSTITUTIONAL SUPPORT**

### **1. COSTS OF OPERATION OF PROGRAMS, ACCOUNTING SYSTEMS AND PERSONNEL, ANNUAL AUDIT AND MAINTENANCE OF BUILDING AND EQUIPMENT**

USAID funds were used to pay for salaries of administrative personnel as well as to provide for basic maintenance of the IIHR physical plant. Funds were also utilized to purchase various pieces of equipment that are essential to the operation of the Institute.

The Institute was subjected to its annual audit by Peat Marwick to assure that the funds that it had received from the various donors were properly spent.

### **2. PROCEDURES MANUAL**

The adoption of the Manual of Administrative Policies and Procedures has led to a better coordination in purchasing, which will translate into an eventual savings for the Institute.

### **3. COMPUTERS**

The Department of Computers is part of the Area of Administration and serves the entire institution through a network that can satisfactorily be used by some 100 staff members simultaneously. The network has been improved during this period with the acquisition of a new server.

The development of computer systems has also resulted in an improvement in the general information available; for example, information on the financial status of the IIHR may be consulted by the Directors on their computer screens.

### **4. CONTROL SYSTEMS**

The IIHR has redoubled its efforts in the area of accounting. This area is especially complex since two distinct needs must be conciliated: that of creating a global system to encompass the entire economic operation and that of meeting the requirements of each donor in particular, each with its own rules, conditions and periods of reporting. Mention should be made of the following in the accounting area:

1. the integral automation of the accounting system, with its eventual extension to salaries;
2. improvement of the program that serves as a basis for the segment of the computer used in accounting, moving from the Tecapro 1.45 version to the newer 1.65;

3. improvement in the control system through the use of codes, in line with the recommendations of external consultants.

The system of issuing checks was also reviewed when the Banco Anglo Costarricense in which the IIHR had its checking accounts went bankrupt. Although the Institute did not suffer any economic loss because the Banco Anglo was a state bank, it has now diversified its funds in national and international banks, resulting in a more responsive system and obtaining interest-bearing accounts - as is the case of Citibank to which the Institute is connected by modem, making possible automatic transfers.

## **5. PERSONNEL PROCEDURES AND POLICIES**

The revision of the Manual on Personnel Procedures and Policies has resulted in new controls on hiring (internally and externally), setting guidelines for quantity and quality and eliminating inequities or inconsistencies in the treatment of the valuable group of collaborators who have built the institution.

## **6. STUDY OF PERMANENT COSTS**

In order to improve efficiency, internal systems were subjected to strict cost controls. For example, measures were adopted that have resulted in a savings of more than 15% on the monthly telephone bill. Similarly, other measures have been implemented to improve the operations of an institution, which must demonstrate to the donors that its operational costs and its efficiency in the use of the resources that it has been given are competitive.

## **VII. INSTITUTIONAL DEVELOPMENT**

### **1. TRAINING IN THE NEW ACCOUNTING SYSTEMS AND OF CONTROL OF INFORMATION**

With the installation of Group Works of Windows Software in each microcomputer, a training program was initiated for the staff, which included the operation of word processors and spread sheets. This has resulted in a better end product, both in terms of speed and quality.

The activities of the Institute are conducted not only by the technical and academic support of each of its collaborators but also by an administrative-financial staff that assists the different programs achieve its goals.

## 2. PROFESSIONAL DEVELOPMENT

Professional groups such as The Hay Company and Peat Marwick were contracted to train the IIHR Coordinators and other staff in the administration of donor funds. This training is essential for the proper budgeting of proposals that are submitted to the various potential donors.

## 3. DEVELOPMENT OF PROJECTS

Funds from this grant also have a strategic importance since they permit activities and missions that seek grants for the development of different projects. Thus, the IIHR has been able to diversify the group of donors and to increase the grants of other agencies in the global budget of the Institute.

During the period covered by this report, institutional missions financed with the support of AID were carried out to various countries, of which special mention should be made to the Summit of the Americas, which was held in Miami in December 1994.

## 4. BOARD OF DIRECTORS

The annual meeting of the Board of Directors was held June 20-21, 1994 at the seat of the Institute. At that meeting the members of the Board laid out in general terms the guidelines for the operations of the Institute in the coming year. The meetings of the Board are particularly important because they bring together experts in the area who are especially qualified to set the course of the Institute.

At the 1994 meeting the Board thanked the out-going Executive Director, Sonia Picado Sotela, for her valuable contributions during a decade of service to the Institute. Ms. Picado Sotela resigned to become Costa Rica's Ambassador to the United States. To replace her, the Board elected Antonio A. Cançado Trindade, a Brazilian national, well-known in human rights circles.