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**INTER-AMERICAN INSTITUTE OF HUMAN RIGHTS
IIHR**

**FINAL REPORT
JULY 1992 - JUNE 1998**

**SAN JOSE, COSTA RICA
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**INTER-AMERICAN INSTITUTE OF HUMAN RIGHTS
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**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
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I INTRODUCTION

In accordance with the regulations of Grant LAG-0591-G-00-2049-00 (Grant 2049) of the United States Agency for International Development (USAID) to the Inter-American Institute of Human Rights (IIHR or the Institute), the IIHR submits its final report on the activities that took place from July 1992 to June 1998, which were in whole or in part funded by USAID

II THE IIHR AS A REGIONAL HUMAN RIGHTS PROGRAM

The Inter-American Institute of Human Rights is an independent international institution created in 1980 under an agreement between the Inter-American Court of Human Rights and the Republic of Costa Rica, where its headquarters are located

According to its Statute, the mandate of the IIHR is to educate and conduct research in the area of human rights, and to promote the observance of these rights throughout the Americas. Historically, most of its work has been carried out in Central and South America, although in recent years it has increased its presence and activities in the Caribbean subregion

The Statute defines the Institute as an academic institution, which means that it refrains from investigating cases from lodging or supporting formal complaints against States, and from making pronouncements on the degree to which countries fulfill their international obligations in the field of human rights. This self-imposed limitation has been an effective tool inasmuch as it has permitted the IIHR to serve as a facilitator of dialogue among the different actors of the human rights movement, and between them and government officials

The work of the IHR is based on the premise that the effective exercise of human rights is only possible within a framework of pluralist and representative democracy. In other words, the IHR affirms that there is a close link between fully exercised political democracy and the effective exercise of human rights.

To achieve this, it is essential that the practice of democracy transcend merely formal considerations and become a reality for vast sectors of the population that at present are excluded or are not allowed to play a full part. The indigenous peoples of the Americas, and women viewed as a social category, are perhaps the most important examples of this. For this reason, the IHR pays special attention to them.

In methodological terms, the work of the IHR is based on three principles or premises:

- That human rights work must utilize an integrated approach. Human rights constitute an integrated system in which no single right, group of rights or any of the so-called “generations” of human rights should take preeminence. Economic, social and cultural rights are as important for the effective exercise of human rights as civil and political rights.
- That human rights work must be interdisciplinary. Since human rights cut across all aspects of social interaction, no single academic discipline is capable of fully addressing the complex issues involved. Legal, political, historical, anthropological, philosophical and other perspectives overlap in this field. Only a multi-faceted approach can do justice to such a complex phenomenon.
- Human rights work must be multi-sectoral. In the specific context of the social dynamic, human rights involve different agents and sectors. Activists, public officials, political leaders and representatives of minorities share a common interest in a field that, while being one of the principal areas of political consensus of the modern era, nonetheless allows for different perspectives and is subject to strong internal tensions.

III STRUCTURE AND ORGANIZATION

The Institute’s governing body, responsible for setting policies and general guidelines, is the Board of Directors, which is composed of recognized authorities in the field from all parts of the hemisphere. The Board meets once a year. The person directly responsible for the execution of projects is the Executive Director, Juan E. Mendez.

From an operational standpoint, the activities of the IIHR are organized into five principal areas, namely

Area of Education Promotes the teaching and learning of the subject of human rights within the formal education system, carries out informal human rights training activities for other sectors of society, trains teachers, collects, publishes and disseminates educational materials, offers advisory assistance to Ministries of Education for the updating of curricula, holds multi-sectoral training courses in human rights, and publishes and disseminates specialized materials

Center for Electoral Promotion and Assistance (CAPEL) Promotes the exercise of political rights, primarily the right to citizen participation. Its activities include organizing fora of discussion and promotion with different political sectors, analyzing and discussing the phenomenon of governability with political agents, conducting research on, and providing advisory services and training to strengthen, political parties, providing advisory assistance and technical training in electoral matters to the bodies responsible for organizing electoral processes, and sending observation missions to monitor elections in the western hemisphere

Area of Public Institutions Promotes and provides training in human rights among branches of government, promotes the institution of the Ombudsman throughout the hemisphere and trains its officials, provides human rights training for military and police forces, trains officials of the judicial system in the use of human rights legal instruments, and promotes legislative reforms that will enhance the access of citizens to fundamental rights

Area of Civil Society Conducts training and promotion activities in human rights with organized sectors of civil society: human rights NGOs, women's and indigenous organizations, ecclesiastical sectors, and agencies involved in finding solutions to the problems of migrants, studies the phenomena that hinder the full exercise of human rights among vulnerable groups, and examines the role of the private sector in human rights. As in the latter case, its activities include organizing specialized fora for the discussion of emerging issues in the human rights field

Finally, in 1994 the IIHR created the **Directorate of Research and Development**, through which it is implementing the integrated plan for Guatemala and the special program for Cuba. This Directorate is responsible for conducting research into what role the IIHR could play in the political development of the region, with a view to increasing the opportunities for local cooperation and utilizing the persons who the IIHR has trained in those countries. By involving and integrating its Areas and local groups in a variety of countries in which it works, the IIHR is taking steps to ensure the success of its programs. It plans to develop opportunities in other countries (such as Mexico, Haiti and Colombia) with this "integrated" approach

IV USAID-FUNDED ACTIVITIES

A HUMAN RIGHTS EDUCATION AND TRAINING

1 INTERDISCIPLINARY COURSE ON HUMAN RIGHTS

The Interdisciplinary Course on Human Rights is the principal, permanent academic activity of the IIHR. It was designed to provide training to multiplier agents representing sectors as diverse as government, the NGO movement, universities, security forces and international organizations. The participants are professionals drawn from a wide range of disciplines, such as attorneys, educators, physicians, social workers, military and police officers, sociologists and psychologists.

The IIHR held its first Interdisciplinary Course on Human Rights in 1983. It was the first forum of its kind ever held in Latin America. The Course is designed to identify specific needs in the region as regards the advancement of human rights, permit the participants to share their experiences, and disseminate the work of the IIHR in this field. It is also used to establish links between the participants and the IIHR and thus facilitate the development of national programs, as has occurred in almost all the countries of Latin America.

The Course has responded to the new needs and challenges of the region. It continues to meet the demand from civil society organizations and public institutions to train their staff in the field of human rights. This report deals with the last seven Interdisciplinary Courses on Human Rights.

1.1 Context

During the first years in which the Interdisciplinary Course on Human Rights was held, the western hemisphere was still beset by grave human rights violations. Most of the countries were governed by military dictatorships, and there were several ongoing and particularly bloody armed conflicts, characterized by serious violations of the laws of war. The IIHR therefore set itself the goal of confronting these problems through resources such as research and the training of individuals engaged in the struggle to eradicate and prevent such violations.

The situation in Latin America has changed considerably as a result of the return to democracy, with almost all of the countries holding free elections and their rulers having been legitimated by the will of the people expressed through the ballot box. During this stage, the human rights movement began to include specific aspects of this transition on their working agendas, and accepted challenges such as the compilation and systematization of information on large-scale and systematic violations, and the efforts to transform government bodies and make them more democratic. A series of new institutions also emerged, whose purpose was to promote and strengthen respect for human rights under the democratic system.

These issues, new as far as the democratization process was concerned, were included in the study programs of the Course, and government officials were invited to apply to participate in the event

The Interdisciplinary Course was created to provide a forum that would meet the need for academic training and the promotion of human rights and freedoms in Latin America. The fact that it has been held for 16 consecutive years reflects the need and commitment of Latin Americans to finding appropriate mechanisms for strengthening the democratic system, and also the IHR's ability and record in supporting this process

The prestige that the Interdisciplinary Course has earned over the years is demonstrated by the number of applications received each year, the interest of international experts in participating as lecturers and the fact that respected international organizations have considered the Course an ideal forum for promoting their areas of interest in the hemisphere. Through agreements signed with UNICEF in 1994, the International Committee of the Red Cross in 1985, the UN High Commissioner for Refugees in 1988, UNESCO in 1998 and even more recently with the Office of the UN High Commissioner for Human Rights, these organizations provide a lecturer in their specialty and sponsor a number of participants each year

1.2 Strategy and methodology of the work carried out

One of the principal objectives of the Course each year is to create an opportunity for training through the exchange of experiences, with the human rights situation in Latin America being discussed within a framework of respect and tolerance for the ideological positions put forward by the participants

Over time, societies in the Americas have learned to live together peacefully and democratically, which has posed a challenge for the orientation of the objectives of this project. Although the original objectives that gave rise to the Course are still valid, the aim at present is to make it a democratic discussion forum to support the construction of true democracy in which human rights are effectively protected and respected

The project's principal contribution to the region during the period covered by this report was the training of 821 multiplier agents drawn from all the countries of Latin America

The criteria used for selecting the participants are diversity and proportionality, with the organizers endeavoring to strike a balance between factors such as gender, nationality, the proportional representation of different sectors of society, profession, area of work and region of origin. As a result, candidates are selected from universities, NGOs, offices of human rights' ombudsmen, government agencies,

the Judicial Branch, international organizations, the church and representatives of the areas of education, women's issues, indigenous peoples, the handicapped, refugees and human rights activists

It is worth noting that in recent years the number of representatives of public institutions has increased considerably (members of the Judicial Branch, ombudsmen, the military and police forces) As part of the Institute's policy of incorporating a gender focus, in recent years equal numbers of men and women have been invited attend Handicapped people are also included to ensure that this sector of society is represented

The subjects dealt with at the courses always address basic problems The theme is modified each year, incorporating critical elements of the theory of democracy and human rights that are closely related to the changing and actual conditions in Latin America and the Caribbean, and which can be applied creatively to these conditions

Since 1996 participants have been required to carry out research prior to the Course with regard to the situation in their respective countries with regard to the theme of the course This exercise serves to focus their thoughts for the participatory aspects of the Course

Another innovation in the design of the Course was the incorporation of two "emphases" the ethical and social perspective, and the political and juridical perspective Lectures focusing on these two dimensions are held simultaneously during the second week of the Course, with the participants being allowed to choose the one in which they are most interested

1 2 1 The selection process

The increase in the number of applications reflects the demand and the need for a forum of this kind in our hemisphere

As a result, the distribution of the two posters used to publicize the event has also increased in 1993 they were distributed among 1000 organizations, but five years later the IIHR contacted 2500 organizations through its different programs This demonstrates how the activity is based on the joint work of the Institute's different areas

Since 1995 the participants have also been required, as a condition for being accepted for the Course, to provide information about the population that will benefit from their participation, and the reasons why they wish to attend The purpose of this requirement is to measure the impact that the Course will have in the hemisphere, bearing in mind that it is designed with a view to the 120 participants becoming multiplier agents in their day-to-day work

1 2 2 Selection of the teaching staff

As one of the main concerns of the organizers is to maintain the quality of every aspect of the Course, the lecturers are selected based on their knowledge, experience and reputation. Since 1993, the organizers have also invited an internationally renowned writer whose work is closely related to human rights, to give a lecture that is open to the public. Every year the lecturers are evaluated by the participants for their handling of their subject and the methodology employed, this is very useful for determining who should be invited to teach at subsequent Courses.

1 2 3 Methodology

The methodological design undergoes changes to incorporate techniques that enable the participants to learn as much as possible about the subjects dealt with in the lectures.

Discussion modules were incorporated two years ago to broaden and deepen the discussion of the topics covered in the lectures, with the debate being guided by a facilitator.

Realizing that the participants have knowledge and experience to share, the IIHR holds workshops to foster the exchange of knowledge and experience acquired in specific situations. This provides important feedback for those working in the field to find real solutions to problems that are common to our Latin American societies.

1 2 4 Other activities

In 1995, the CD-ROM *The Legal Dimension of Human Rights* was introduced. It is a compilation of the most important international instruments of the United Nations and of the inter-American protection systems. It is a useful tool for consultations in the day-to-day work of the organizations.

An optional activity, introduced in 1997, is a training course in the use of the Internet. Taking into account the observations made by former participants on the usefulness of this activity, this year's Course offered training on how to find sites of interest for human rights work in Latin America.

1 2 5 Teaching material

Since 1994 the IIHR has prepared an academic binder for the participants containing reference materials for the Course. This binder contains both general information on the Course (the rules, list of participants, curricula of the teaching staff, program, etc.) and academic information that is divided into four sections: a) informational and background material on the participatory activities that will be held

b) basic study materials, i.e. a series of specialized documents on the main themes and subtopics of the course, c) an interdisciplinary bibliography with over 650 bibliographical notes related to the topics to be addressed at the Course, and d) an explanation of why and how a project is evaluated

1.2.6 Evaluations

The technique of daily evaluations was introduced in 1993, through a sample of 20 participants who were asked to evaluate aspects ranging from logistics to the academic caliber of the experts. This method allowed the IIHR to improve the overall quality of the Course by taking into account the opinions and suggestions of the students themselves. Since 1995 all the participants evaluate the lecturers on a daily basis, while a sample group evaluates the logistical part of the Course.

Since 1994 a process of follow-up and evaluation of the impact of the Interdisciplinary Course has been carried out six months after the activity (this is known as the medium-term evaluation). The organizers contact all the participants, who are asked to fill out and return a questionnaire. The different areas of the IIHR are also consulted about the projects they are implementing with former students of the Course. The aim is to determine the effects of the training on both the personal and professional lives of the participants, and whether the Course provided incentives for the implementation of new national projects. The findings are incorporated into the final report of the respective Course.

Finally, in 1998 the organizers introduced an evaluation by the teaching staff and facilitators, in order to obtain their recommendations and comments on the activity.

1.3 Overview of the work carried out

The results of the last seven interdisciplinary courses are as follows:

- The training of 821 multiplier agents in Latin America drawn from different sectors of society. The follow-up processes have shown that most of the participants have applied what they learned during the Course. Examples of this are the projects implemented in different universities in the region, such as the University of Chile, the National University of Asunción in Paraguay, and Rafael Landívar University in Guatemala, as well as the work of several NGOs, and the Judicial and Legislative Branches of various countries.¹
- The dissemination of specialized material on human rights (Academic Portfolio), which continues to be consulted by the participants after they return to their countries.

¹ The academic reports of past Courses contain more detailed information.

- The creation of a methodological model that can be applied by the participants as multiplier agents in their everyday work
- The creation of a network to support local human rights programs and activities promoted by the IIHR For example, in 1995 the Institute organized a meeting with former students in Guatemala to conduct a national consultation on the work of the IIHR, and to articulate programs in that country based on the conclusions of the evaluation
- The creation of a forum to discuss the human rights situation in the region, in an atmosphere of tolerance and acceptance of different ideologies and from an interdisciplinary perspective To achieve this, the IIHR takes special care in defining the rules for the work and the focus of each subject to be addressed, and in selecting experts to teach the topics from different perspectives

2 OTHER COURSES TARGET GROUPS

Through these courses the Institute was able to meet the needs of sectors or groups of professionals that had proposed activities that, despite being urgent and very important, were not included in projects under way because they were completely new or, for some other reason, could not be included in regular projects In all cases, the homogeneity of the audience enabled the IIHR to design very specific activities involving a *modus operandi* that fostered the exchange of experiences, discussion of common problems and the search for practical solutions

The funds earmarked for target groups were used, first and foremost, to support the creation and setting up of ombudsman's offices in different Latin American countries

The first institution of this kind in the Americas dates from 1966, when one was created in Guyana Its subsequent appearance in many of the English-speaking countries of the Caribbean and later in Guatemala, as well as the interest shown by other countries of Latin America, led the IIHR to respond to requests for assistance, given the potential positive impact on the consolidation of democracy

During the period covered by this grant, the IIHR conducted technical assistance missions to the Dominican Republic, Guatemala, Honduras, Panama, Paraguay and Peru, and held separate workshops for staff members of the ombudsman's offices of Brazil, Costa Rica and Mexico, and a training-diagnostic seminar for staff of the Office of the National Human Rights Commissioner of Honduras In some cases, the IIHR's efforts helped to promote the usefulness of such an institution (which is responsible for defending citizens' interests in their dealings with the public administration, and for protecting human rights) among parliaments, judges, universities, jurists and the mass media In other cases the IIHR worked to

improve the organization and operation of ombudsman's offices in those countries where the institution already existed

Today, ombudsmen's offices in Latin America have assumed such importance that they constitute one of the principal vehicles for the defense of human rights in the hemisphere. Given their success as watchdogs, these offices have become an expeditious and flexible mechanism for solving numerous problems and denouncing violations of citizens' rights resulting from abuses committed by public institutions or the latter's failure to fulfill their obligations.

In addition to protecting human rights, the ombudsmen have helped strengthen mechanisms for representation and improved communication between civil society and government.

The IIHR's support to these offices is doubly gratifying. In some Latin American countries the ombudsmen fall within the select group of entities that enjoy the greatest level of public credibility. This clearly indicates that the work they are doing is effective, and that the advisory services of the Institute are yielding excellent results.

The Institute also worked with target groups in the area of administration of justice. In Nicaragua, the IIHR helped draft the Basic Law of the Judiciary and assisted in the campaign for its passage by the National Assembly. In the Dominican Republic, the IIHR provided advisory services in the area of constitutional guarantees and legislative reform. In Barbados, in collaboration with the School of Law of the University of the West Indies and the Bar Association, it held a seminar for 40 judges and magistrates from seven English-speaking countries of the Caribbean, on the independence of the judicial branch and the application of international human rights norms.

As a result, these administrators of the justice system were made aware of the need to update laws in light of the modern trends in human rights doctrine.

Intense and varied work was carried out in the area of human rights education for children: a) at the Children's Museum in Costa Rica, a room devoted to the rights of the child was set up, b) a computer program entitled *Derechito Plus* was designed, c) two videocassettes, *Diferentes pero iguales en derechos* and *En la escuela y en la vida* were produced, and d) the books *Vivan mis derechos!* and *Conversemos sobre derechos humanos* were published.

The Center for Educational Resources, with support from several donors, including USAID, in 1994 set-up the room in the Children's Museum in Costa Rica dedicated to the rights of the child. The results of this project have exceeded all expectations. To date, more than 300,000 children and adults have visited the room, where they have been able to learn more about the legal protection of children's rights and the

situations in which such rights are violated. The success of this initiative has led to calls for its replication in Peru (to be inaugurated soon), Guatemala (planning and strategy design activities under way) and Venezuela and Argentina (keen interest on the part of several groups)

Derechito Plus is targeted at children in Latin America between the ages of 11 and 16. This interactive, multimedia computer program helps users to understand human rights through the use of educational messages, including the assimilation of concepts and knowledge, the review of historical facts and daily experiences, and the development of creativity and inventiveness.

It consists of two games: a) trivia and puzzles, and b) memory and hidden words. The trivia segment comprises 100 questions, each with three answers, from which the player selects the one he/she thinks is correct. The puzzles are visual representations of different values, such as justice, equality, solidarity, participation and freedom. The second game consists of a number of drawings that present human rights as a means of helping players understand the graphic messages, which are part of the language of modern life. The children then match pairs of drawings and symbols. The faster the player matches pairs and finds the hidden word, the more bonus points he/she wins. In order to ensure that maximum benefit is derived from playing the game, the IIHR prepared a Teacher's Guide to help reinforce the lessons learned by the students.

The videocassette *Diferentes pero iguales en derecho* encourages children to see themselves as unique individuals, and to understand that they share values with, and have obligations toward, other people. The target population of the other videocassette, *En la escuela y en la vida*, are the teachers. It shows specific situations in daily life in which they can reflect on the role the educator plays in helping to mold children's attitudes toward human rights.

The books *Vivan mis derechos!* and *Conversemos sobre derechos humanos* are intended to be complementary materials for visitors to the Children's Rights Room. The first is aimed at school children and contains games, stories, hidden word games, riddles, fill-in stories and drawings to be colored. The second provides educators with practical activities for reinforcing learning in the classroom, ensuring that the students' visit to the museum is not an isolated event, but part of the process of understanding and exercising their human rights.

Lastly, and at the express request of the Southern Command of the United States Army, the IIHR presented three of the subjects addressed at the Regional Conferences on Human Rights held in 1996 and 1997: strengthening the consolidation of democracy, promotion of respect for human rights in military institutions, and their projection and role in society as a whole. The participants included ministers in charge of security, ombudsmen, members of congressional commissions on human rights and security, military officers, representatives of

NGOs and international agencies, and scholars and researchers in the field of human rights, from North, Central and South America

3 KNOWLEDGE CREATION AND OUTREACH PROGRAMS

3 1 Knowledge Creation

3 1 1 Migrant populations and those affected by violence

During the period covered by this report, major changes within and outside the IIHR had an impact on the focus of this Program, created in 1988 and previously known as the Refugees and Repatriated and Displaced Persons Program. The Program, which is part of the Area of Civil Society, expanded its coverage to include populations whose human rights have suffered as a result of migration within their countries and abroad, made necessary by economic or social violence. To this end, the Institute conducted research, provided technical assistance and offered training to NGOs, community and victims' organizations, and churches involved in work with migratory populations.

Changes in the socioeconomic and political context of Latin America, directly linked to the effective exercise of human rights, were a fundamental cause of migration in the hemisphere. Insufficient democracies, economic globalization, government corruption, impunity, economic and social exclusion and isolation and, in general, new types of human rights violations, posed challenges for the area and the program. Civil society organizations are becoming stronger, contributing in practice to a rethinking of human rights following the 1993 Vienna Conference on Human Rights. The new vision emphasizes equality among people who are different from one another and highlights new forms of discrimination and rights' violations, such as intolerance, exclusion and violence, including poverty, forced migration, discrimination on the grounds of gender, ethnic and national origin, age, religion and sexual orientation, as well as family, criminal and prison violence.

The Central American subregion has seen the consolidation of the peace processes begun in 1987 with Esquipulas II, point 8 of which referred to the situation of refugees and repatriated and displaced persons in Central America. In December 1996, peace accords were signed between the government and Guatemalan insurgents, thus helping to accelerate the processes of repatriation (refugees) and return (internally displaced persons), or the integration of both groups into the societies that received them, both abroad (e.g. Mexico) or within the country (Guatemala City and others). In the Andean subregion, the grave internal conflict that has been affecting Colombia for several decades, has had serious consequences for civil society there. Many people, most of whom are small farmers, have been forced to move to other parts of the country. It is estimated that some one million people have been uprooted. In Peru the process of return has not ended. Most of the displaced population have stayed in Lima,

where they receive almost no attention and do not have access to even the most basic services. It is estimated that some 350,000 such people are undocumented migrants, which will prevent them from participating in upcoming elections and further weaken democratic participation.

Economic globalization leads to the internationalization of labor and new types of human rights violations involving the exercise of economic, social and cultural rights and the sustainable development of large sectors of the population in Latin America. The fact that much of this population is undocumented makes the migratory phenomenon even more complex and calls for comprehensive, interdisciplinary and multi-sectoral responses from all those working to resolve the problem (such as the Puebla process, which involves the governments of Canada, the United States, Mexico and Central America, international organizations and some organizations involved in the protection of the human rights of migrants to and from those countries).

3 1 1 1 Principal problems related to human rights

In the countries covered by the report and to varying degrees, there are major difficulties involved in the effective exercise and respect for civil and political rights (the right to life, liberty, physical integrity, security, and to not be subjected to cruel, inhuman and degrading treatment, and others that make up the so-called "hard core" of human rights) and economic, social and cultural rights (in both urban and rural areas many migrant families figure among those without access to water, electricity, housing, food, clothing, and health and education services, forming part of the population that lives in extreme poverty). The right to migrate or not migrate (the right to fix one's residence) has been widely violated, with serious consequences for the civilian population, ranging from socioeconomic problems to loss of life and traumas that have had a serious impact on the mental health of those affected, particularly women and children, who make up 50% of the migrant population (due to political or structural violence).

3 1 1 2 Strategy and methodology of the work carried out

In keeping with the IHR's mandate, and that of the Area of Civil Society in particular, emphasis has been placed on activities of an inter-American nature, such as the Permanent Consultation on Internal Displacement in the Americas (CPDIA), and the coordination of work with other areas and programs of the IHR. Efforts also continued to incorporate new sectors of civil society, which are of strategic importance if progress is to be made in the area of human rights, to strengthen the capability of organizations to promote and defend human rights, and to institutionalize inter-American and subregional projects that would make a major contribution to this task. Technical assistance, training (seminars, specialized courses, workshops), promotional activities (specialized conferences), applied research dissemination actions (publications and informational bulletins),

and the transfer of know-how and successful experiences, are some of the methodologies that have produced significant results

3 1 1 3 Obstacles encountered in the execution of the projects

At the inter-American level, the obstacles included problems related to the work of the Permanent Consultation on Internal Displacement in the Americas (CPDIA), created in 1992 and made up of agencies of the United Nations (UN High Commissioner for Refugees, UN Development Programme, UNICEF, World Food Programme), the inter-American system (Inter-American Commission on Human Rights), independent organizations (International Committee of the Red Cross, International Organization for Migration), international NGOs (World Council of Churches, Refugee Policy Group) and international experts. The Technical Secretariat of CPDIA is exercised by the IIHR. The difficulties have been associated with the lack of funds necessary both for the operation of the Secretariat and the development of the data base, the publication of an annual journal and the execution of short-term activities (training, technical assistance, etc.)

The lack of funding has been particularly evident in countries such as Peru and Colombia, in the latter, international cooperation has been limited due to the grave internal situation. This has affected not only the necessary exchange of knowledge and experiences, in which the Central American experience could serve as an example for both countries (e.g. the International Conference on Central American Refugees and Repatriated and Displaced Persons in 1989), but also the continuation and expansion of the training activities for officials of the different organizations working with displaced populations. Furthermore, some of the principal organizations with which we have maintained working relations have been threatened. As a result, their members have been forced to move or take refuge in other countries, which has had grave consequences for the projects they are carrying out. Lastly, the political situation in these countries has prevented the implementation of subregional activities such as specialized meetings on the topic of internal displacement.

3 1 1 4 Results obtained at the end of the projects

In the case of the activities carried out by the CPDIA (1992-1997), two successful *in situ* missions were conducted to Colombia (1993 and 1997) and one to Guatemala (1995), with a follow-up visit to the latter (1996). As a result of the first mission to Colombia, the government established a program to support the displaced population and held an international meeting to analyze policies on protection and assistance for those affected, which was attended by the Representative of the UN Secretary General responsible for this issue. On the second mission, in addition to addressing the background, causes, nature and

consequences of this grave phenomenon, and analyzing legislation, government policies and the actions of civil society, attention was also given to new topics such as the analysis of the situation of human rights within the legal framework of the UN's guide to the protection applicable to internally displaced persons, the situation of displaced women and children, indigenous and Afro-Caribbean populations and older adults, and a study on land tenure and displacement. It is important to point out that a first outline of minimum protection standards was prepared by the CPDIA in 1992, and that its work has been recognized by the OAS General Assembly, the Inter-American Commission on Human Rights and the UN (in the annual reports of the Representative of the Secretary-General), regarding it as a model in its field that could be replicated in other areas of the world where this problem exists.

The technical advisory services and training activities carried out in Colombia (1993-1997) both for the Episcopal Conference of the Catholic Church, (research on internal displacement and human rights in Colombia) and with the National Social Pastoral Secretariat (SNPS) (training in internal displacement, displaced women and human rights, among other topics) and the Diocese of Sincelejo, Sucre (establishment of a Deaconry of Peace and Human Rights, with emphasis on displaced populations), helped create and consolidate a structure for disseminating information on the phenomenon and assisting and protecting the populations affected.

In Peru (1993-1997), the IHR participated in inter-institutional efforts with the Episcopal Commission for Social Action of the Catholic Church, as follow-up to the national forums on internal displacement, in a consultation with the Andean Commission of Jurists and other institutions on the effect of the lack of identification documents on the exercise of human rights by displaced populations, and, finally, in Peru, with the National Forum on Internal Displacement, both in holding a national workshop to review displacement caused by political violence in Peru, and a discussion forum on the same topic, which was attended by the Director of the government's Program of Action for Return, the Ombudsman, the Coordinator of the CPDIA and other important individuals associated with the problem of displacement.

Preparatory activities (1994-1995) and an *in situ* mission in 1995, requested by the government of Guatemala, yielded a report containing conclusions and recommendations on different aspects of human rights, humanitarian assistance and legal protection, institutional and land planning, environmental issues, lasting solutions (return, integration), displaced women and other topics of importance to be addressed by the Technical Commission Responsible for Monitoring the Agreements on Displaced Populations. One immediate result of this study was the adjustment, by the Forestry Action Plan for Guatemala, of a program for the management of renewable natural resources, placing emphasis on areas for the

return of Guatemalan refugees from Mexico. In addition, the agencies responsible for identification documents accelerated their actions.

The IHR also executed important initiatives at the inter-American level:

- Participation in a specialized activity on refugees, organized by the University of Oxford through its Center for Refugee Studies. The IHR was the only institution invited from Latin America, which provided our representative with the opportunity to explain the situation of forced migration in Latin America and to broaden her outlook and experience.
- Meeting in Bogota, Colombia, organized by the Hemispheric Migration Project of Georgetown University on the measurement of international migrations in order to identify scientific methodologies and techniques that would enable a quantitative evaluation of the phenomenon. The participants, who included specialists from different countries in the region, local and international agencies involved in the issue, academics and NGOs, engaged in a fruitful exchange of information, experiences and methodological tools.
- Participation of the Executive Director of the IHR as a speaker in a seminar held in Buenos Aires, Argentina, on refugees' rights in the southern region of Latin America (the standardization of legislation and procedures), organized by UNHCR in collaboration with the Government of Argentina. The event provided an opportunity to formulate, from the perspective of prevention, an institutional and legal response to the question of refugees at the regional level, contributing, at the same time, to the development of regulations for the international treaties related to the Statute of Refugees in the domestic laws of the States Parties. Different governmental, civil society and international organizations participated in this inter-sectoral and multidisciplinary event.

3.1.1.5 Conclusions

The program has made significant progress, especially in the area of structure-building. The establishment of the Permanent Consultation on Internal Displacement in the Americas (CPDIA) in 1992, and its subsequent activities, made it not only the first regional entity to propose minimum standards for the protection of internally displaced persons, but also to participate in the development of the *Guiding Principles on Internal Displacement*, approved by the United Nations Human Rights Commission in early 1998.

Another example of efforts in the area of preparing and proposing new norms was the *San Jose Declaration on Refugees and Displaced Persons* (1994), adopted at the Colloquium held to mark the tenth anniversary of the Declaration of Cartagena, which places special emphasis not only on the phenomenon of internal displacement, but also on the challenges posed by new cases of displacement in

Latin America and the Caribbean It also recognizes that the human rights violations are one of the causes of forced displacement, and that the protection of such rights and the strengthening of democracy constitute the best way to find lasting solutions and prevent the further exoduses of refugees and grave humanitarian crises

Associated with the above is the training provided to civil society organizations such as the Catholic Church in Colombia, which, given its long-term involvement in matters related to migration and its legitimacy and ability to bring the different actors together, has made a major contribution to protection and assistance for the internally displaced, and in training lay personnel, priests and nuns throughout the country, thus creating a multiplier effect Courses have also been held for other civil society groups, including those made up of displaced persons themselves, aimed at helping them to better understand and apply international and national instruments and mechanisms for the protection of human rights

Further efforts have also been made to analyze in greater detail the phenomenon of forced migration in the region (refugees, internally displaced persons, repatriates and returnees) and other migratory phenomena (economic migrants), with the inclusion of gender as a topic that cuts across academic research, participatory research and *in situ* missions, the results of which have been brought to the attention of different governmental institutions and civil society, with a view to creating, complementing or consolidating policies, laws, plans, projects and activities intended to benefit displaced populations, as short-term solutions to problems and gaps detected

The program's decision to adopt a "process" approach has enabled it to define and reassess its objectives and lines and strategies of action, adapting them to the current situation in the region, to migratory trends and to the nature of the requests received, so as to be able to continue providing technical assistance for the professionalization and specialization of civil society organizations in the area of monitoring and the defense of human rights It has also worked to ensure that such organizations can advise on and support the democratic participation of civil society, through actions aimed at promoting new social behaviors that will contribute to the peaceful resolution of conflicts and to the construction of a culture of peace and human rights

3 1 2 Indigenous Peoples

Between 1992 and 1997, the IHR organized four regional seminars for the study, dissemination and updating of the human rights of the indigenous peoples of Latin America Two of the principal issues addressed at these seminars, which were held in La Paz (1993), Guatemala (1994), Quito (1996), and again in Guatemala (1997), were 1) indigenous customary law and its relationship with constitutional law and human rights and 2) the participation of indigenous people in the

development and protection of their rights. These questions were discussed and analyzed by indigenous leaders, representatives of governments and national human rights institutions, and international experts. The IHR has concentrated its efforts throughout these five years on collaborating in the drafting of the Inter-American Instrument on the Rights of Indigenous Peoples.

To support these inter-American efforts, between 1992 and 1995 the IHR coordinated three specialized consultations in San Jose, Costa Rica, with a view to strengthening the conceptual framework of indigenous law *vis-a-vis* its important and growing relationship with human rights law. After these consultations, the IHR completed the text prepared by a Joint Committee of Independent Experts, entitled *The Rights of Indigenous Peoples Discussion document prepared at the initiative of the IHR*. During the same period, the IHR co-sponsored two inter-American meetings with the Inter-American Commission on Human Rights (IACHR), held in Guatemala and in Quito. The purpose of these meetings was to analyze the views of leaders of indigenous organizations and government representatives, as part of the inter-American consultation aimed at reaching a consensus and drafting a "human rights instrument of indigenous peoples" for the region.

3.1.2.1 General objectives and aims

The objectives of these interregional activities were as follows:

- The study of the social dimensions of the rights of indigenous peoples, as human rights and collective rights. The aim of the IHR was to help expand the doctrinal conceptualization of human rights in inter-American legislation. In this sensitive process, the IHR is working with the Inter-American Commission on Human Rights, the Inter-American Indian Institute and, more recently, the regional offices of the International Labour Organization and the Indigenous Fund for Latin America and the Caribbean.
- The promotion of academic debate on the legitimacy of the customary law of indigenous peoples, among different political sectors and indigenous leaders of several Latin American countries, primarily Bolivia, Guatemala, Ecuador and Panama. The IHR has thus helped dispel the prejudices against indigenous law and is endeavoring to convince others of its validity, underscoring its important contribution and practical application in the resolution of human rights conflicts and for the claims of indigenous peoples, which include matters such as land and territory, culture and justice administration, and the preservation of natural resources.
- The demonstration, through arduous research, of the fact that in Latin America and the Caribbean, the law of indigenous peoples -or the recognition of indigenous law- is contributing to the progressive development of human rights.

law and that it is not incompatible with, but rather complements, national substantive law. The IIHR's aim is to demonstrate that current democratic practices are incomplete if they fail to take account of the cultural and juridical diversity of the indigenous peoples of the Americas.

3.1.2.2 Overall situation of indigenous peoples and the context in which the project Human Rights of Indigenous Peoples was implemented

The population of Latin America and the Caribbean includes at least 40 million inhabitants who are members, or the direct descendants, of some of the 400 native indigenous peoples with a pre-Hispanic tradition. Most of these peoples have an oral tradition of passing on their life stories and visions of the world, communicating in the over 250 native languages that are still spoken in the Americas. These ethnic and culturally diverse groups have lived under their own models of social and productive organization. As a result, their ideas and ways of life do not coincide with the models used by the great majority of *mestizos* in Latin America, who tend to impose models that are not only an affront to cultural diversity, but often to the fundamental rights of the existence of these peoples.

At the time that the activities covered by this report got under way some of these indigenous societies were attempting to correct the situation by creating a true social movement. This movement had begun to promote new ways of pressing for their rights and, following the democratization of Latin America at the beginning of this decade, was presenting its social demands in cooperation and in close alliance with non-indigenous sectors in an attempt to find alternative solutions. In the early 1990s, there were widespread and increasingly organized efforts by ethnic groups and peoples, which were based on the grounds of their specific indigenous rights and the danger of extinction and cultural assimilation. In some countries with many indigenous groups and peoples, the debate surrounding the democratization of their societies, the role of the State and the right to a cultural identity placed indigenous rights high on the agenda in societies that were undergoing transition and sweeping change. In some cases these changes were violent, as in the Chiapas region of Mexico, in others, indigenous rights were at the heart of the resolution of armed conflicts, such as in the peace process in Guatemala. In Bolivia, the indigenous population became increasingly involved at the local level, while in Ecuador and Peru, countries in which indigenous participation in politics varies considerably, some of their Indian peoples were drawn into an unnecessary conflict that did not serve the interests of their communities.

This focusing of attention and political interest on indigenous societies in the search for alternative solutions to the problems of democratization is closely related to human rights. There were growing calls for respect for their collective rights. Indigenous groups and peoples raised human rights issues, such as the recognition of their status as peoples within national territories. Indeed, respect for

indigenous citizenship and their own culture was the basis for their claims, as they affirmed their rights over their territorial resources and the exercise of indigenous law to peacefully settle their disputes in accordance with their identities and cosmic visions

3 1 2 3 Some problems encountered Administration of Justice and Indigenous Law

In Latin American societies that are multicultural and multiethnic, the question of the administration of justice becomes even more difficult and sensitive when a decision affects individuals belonging to different ethnic and cultural groups. This issue has been constantly raised during these five years of inter-American seminars, meetings and consultations on the human rights of indigenous peoples. For this reason, the IHR consultations highlighted the fact that instead of addressing individual issues such as legal bias or traditional legal thinking, there is a need for a new concept. The IHR believes that indigenous law is now a real tool for protecting an array of human rights unique to indigenous communities.

During the years that the IHR has studied the matter, it was common to find that an act that one *mestizo* group regarded a crime and that carried a specific penalty under established codes, was not viewed in the same way by the indigenous group because of a different understanding of social relations and of an incompatibility of values. In some cases, this was attributable to social highhandedness or racism and discrimination by a legal system against the concepts of indigenous law. The IHR addressed the complex and interrelated question of indigenous rights and human rights from an academic perspective, with one primary objective: the application by indigenous communities in their territories of their system of justice in accordance with their cultural vision. Throughout the consultations, it was emphasized that human rights are a special part of international law, but are implemented within States where individuals -indigenous or non-indigenous- are holders of rights. In consequence, the most important issue as far as the indigenous experts are concerned is the acceptance at the national and, therefore, constitutional level, of international treaties as valid legislation.

3 1 2 4 Overall evaluation

The inter-American consultations, the specialized consultancies, the regional seminars and the documents prepared (especially that which was prepared by fifteen indigenous and non-indigenous experts at the request of the IHR), without exception pointed up the progress being made and the different views that exist today in the debate on indigenous rights in the Americas. The debate focused on five sets of rights that the IHR groups together as follows: the right to an identity as a people, the right to land and territory, the right to exercise forms of self-government and self-administration, the right to the recognition and exercise of

indigenous law and the right to participate in and help decide national policies that affect their identities

The gap that exists between the general acceptance of the rights of indigenous population and the full recognition of these rights, was very apparent throughout this period. The experience of these five years has shown that this is the outward manifestation of extreme, isolated points of view that are still held by some people in Latin America, but not shared by the majority. At the same time, it was not unusual to find that indigenous peoples, when demanding the five rights mentioned above, did so in different ways and focused on historical claims, evoking their past as support for the restitution of rights. While this strategy gave moral strength to the indigenous struggle, by basing their claims on events deeply rooted in the distant past, there is a risk that their present situation could be overlooked.

Secondly, the IIHR's many meetings and consultancies are examples of the progress made in increasing public awareness of the existence and recognition of indigenous rights, not only at the constitutional level, but also in the complex inter-American law of human rights. This is a social movement that is clearly on the rise -as evidenced by the legislative elections in Colombia, Guatemala and Bolivia, and more recently in Ecuador- and that, despite obvious difficulties, is winning over public opinion. However, if further progress is to be made, the indigenous movement must show more maturity when formulating its demands, and understand the new challenges they face today in realizing their rights.

3.1.2.5 Challenges for the IIHR

Among other institutional principles, the IIHR bases its policy of promoting respect for human rights on respect for cultural diversity. Therefore, it views with concern the levels of discrimination and intolerance that, even today, hinder the understanding and exercise of indigenous rights as human rights in the Americas. For the IIHR, there is no indigenous problem, or indigenous issue. What we have observed over these five years is that there are still many who believe that the cultural backwardness of the indigenous population could be overcome by implementing measures aimed at their assimilation or integration into national societies. Added to this erroneous belief are grave anomalies in those Latin American societies where important population groups have historically been excluded from the different dimensions of social life and from the exercise of human rights, because they are ethnically different and because, as States are currently organized, their hopes and rights are not taken into consideration. However, the academic forums conducted by the IIHR since 1992 have affirmed that, under the current concept of human rights, the status of indigenous populations is permanent and stable, and that recognizing this is the starting point for respecting all other rights.

As regards the results of the work carried out during the period, the Indigenous Program of the IIHR's Civil Society Area faces several challenges. First, it must continue to conduct research on new concepts and on what has been achieved. It must contribute to strengthening and expanding the conceptual and legal framework of indigenous rights by promoting the development of the United Nations and Inter-American systems of human rights. The minimum standards contained in Convention 169 of the International Labor Organization can provide the basis for any research and discussions the IIHR may conduct in the future.

Indigenous peoples need to learn more about their rights and how to exercise them. Therefore, the second challenge the IIHR faces is to provide technical support and academic training aimed at enhancing the ability to negotiate and present proposals related to indigenous rights at the municipal level and before the legislature. The IIHR must reorganize its local and regional education and training programs in such a way that its personnel promotes dialogue and study and contribute new ideas on ways to protect indigenous rights. Consequently, it is necessary to strengthen legal defense and train jurists and paralegals in the use of the inter-American system to protect indigenous rights and human rights.

3 1 2 6 Conclusions

The advanced draft "Inter-American Instrument on the Rights of Indigenous Peoples," which is currently circulating as a text for consultation and which was approved by the Inter-American Commission on Human Rights, was preceded by the document "Indigenous Rights and Human Rights," prepared by a group of fifteen experts at the invitation of the IIHR.

This latter document was the focus of the consultation meetings mentioned in this report, held in La Paz, Guatemala City, Quito and Guatemala City again, between 1992 and 1997. In our judgment, the IIHR document constitutes an important input for the preparation of the inter-American instrument. It is a document that goes beyond the substantive aspects of Convention 169 of the ILO. The IIHR drafted it with the core objective of the indigenous program in mind, which is to move beyond international rhetoric and give expression to the human rights concepts that exist in the laws of indigenous peoples.

Now, at the end of this five-year period, the IIHR believes that sufficient experience exists to seek final approval to the Inter-American Declaration on the Rights of Indigenous Peoples. This Declaration, which for now is only a "draft for consultation," can be used by the States, as a starting point for the official, national, public and binding commitment that is needed in regard to indigenous peoples and their human rights.

In executing this project over these five years, one of our most difficult and important tasks has been to gather the many different and at times complex

demands of indigenous peoples. However, the most important aspect that the IIHR can point to as we approach the end of the 1990s is the higher level of organization and participation of indigenous peoples, especially in Mexico, Colombia, Guatemala, Ecuador and Bolivia. Mention should also be made of certain initiatives that contain original proposals on the topic: the Declaration of the International Year of Indigenous Populations by the UN General Assembly in 1993, and in the Americas, the Charter of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, approved in July 1992, which has led to close cooperation between the Fund and the IIHR.

The IIHR believes that the approaches to the rights of indigenous peoples must change, not only for conceptual reasons directly related to the integral nature of human rights, but also as a result of new situations of integration, exclusion, participation and marginalization, due to the different levels of democratic development in the Americas. The IIHR recognizes that this poses a serious challenge for the societies of Latin America, especially in those areas where the indigenous population is very large and suffers from extreme exclusion and poverty. However, we must take up the challenge. This idea was aptly stated by Victor Hugo Cardenas Conde, an Aymaran and a former Vice President of Bolivia and now President of the Indigenous Fund. Inaugurating the IIHR's activities in La Paz in December 1994, he spoke of "western modernity" and "indigenous modernity" and not about the contrast between modernity and backwardness. The effective development of the human rights of indigenous peoples will depend on finding an answer to the question of how indigenous peoples can modernize without losing their identity.

The general strategy of the indigenous program has been to strengthen the development of democracy, while recognizing the cultural diversity and plurality that exists in the Americas. In this context of unequal development, the IIHR has found that indigenous demands have increased. Several countries have enshrined indigenous rights in their constitutions and others are in the process of ratifying Convention 169 of the ILO. However, the central issue today is the modernization of the State to comply with indigenous demands. Democracy and the Rule of Law are not incompatible with the full recognition of multicultural societies. A democracy will be ineffective and insufficient unless all those living under the system, including indigenous citizens, have equal access to all its advantages and benefits. After executing the indigenous program for five years, the IIHR has learned that, if the doctrine of human rights is to be fully developed, there must be a shift from a socially and culturally homogeneous and exclusive public legal system to a system in which different ethnic groups and peoples live side by side harmoniously, and enjoy equal rights. This is part of life in a democracy and one of the challenges related to human rights in the Americas as we enter the new millennium.

3 2 Outreach Programs

From its beginning, as an academic entity the IIHR set out to address through articles that were widely disseminated, some of the principal topics on the current international human rights agenda. Parallel to these efforts, other texts intended to introduce and disseminate related topics have been produced in Spanish, English, Portuguese and French.

The IIHR produces academic publications of both a regional (inter-American) and universal scope to promote international norms for the protection of human rights. An example of this effort is the *Revista IIDH*, one objective of which is to encourage a review of the inter-American system by human rights specialists, with an eye to bringing about changes or reforms that will correct existing problems.

3 2 1 Institutional Publications

- **Revista IIDH**

This publication is an instrument for the dissemination of human rights doctrine. Since it was created in the early days of the Institute, its academically-oriented articles have been of great interest to scholars, researchers, students, and institutions involved in the defense of human rights. In addition, a large number of libraries subscribe to this semi-annual magazine.

During the period covered by this report, issues 14 to 26 were published and distributed.

- **Boletín/Newsletter**

The newsletter, published every three months in two languages (Spanish and English), is another instrument that the IIHR uses for dissemination purposes. Regional in scope, it offers information on the activities carried out by the Institute's programs during the corresponding period. The Newsletter also reports on relations between the Institute and other cooperation agencies and the governments.

During the period covered by this report, issues 29 to 51 were published, reporting on each quarter, with the exception of No. 29, which covered the period April-December 1992.

- **Institutional Brochure and the Brochure on IIHR Activities**

The Institute's brochure, published in English and Spanish, is a tool used to support the IIHR's relations with international cooperation agencies, the target

populations of the programs, and other groups and individuals interested in our work

In 1997, a semi-annual brochure was launched to publicize the activities programmed for each semester by the Areas of the IIHR

- **Catalogue of Publications**

This catalogue, which offers a brief description of the IIHR's publications, is distributed to libraries, universities, scholars, social research and specialized centers, educators and students in the Americas and Europe. The catalogue is updated periodically to ensure readers know which publications are available.

3 2 2 Overview of implementation for the period

During the period in question, all USAID-funded publications were produced as planned and on schedule.

Beginning with volume 23, the *Revista IIDH* introduced two new sections: *Amicus Curiae* and "Comments on the Practice of the Organs of the Inter-American System for the Protection of Human Rights." The first contains the text of briefs submitted by NGOs to national or international courts, as friends of the court. The editors of the magazine made the decision to include these texts because of the valuable information they contain, and because they can be used by lawyers or others working in the defense of human rights. The second section includes technical and procedural or substantive aspects of the actions of the Court and the Commission in cases brought before them. Both provide additional information of an academic nature for those interested in human rights.

Likewise, beginning with No. 36, the format of the IIHR Newsletter was changed to letter size (8 ½" by 11"), making it easier for readers to handle. The Editorial Section, which is prepared by the Executive Director and can be found on page two, appeared for the first time in No. 44. We are also now using a higher quality paper, thus making it more attractive and placing it on a par with similar newsletters.

3 2 3 Conclusions

The expansion and consolidation of its broad program of academic activities has allowed the Institute to publish a series of periodic and systematic studies on contemporary issues that have enriched human rights doctrine, philosophy and activities.

USAID funds were also used to publish a number of books with the IIHR logo, such as *El presente y el futuro de los derechos humanos (dedicated to Dr*

Fernando Volio), *The modern world of human rights (dedicated to Professor Thomas Buergenthal)* and *Tomo V de Estudios Básicos de Derechos Humanos*, disseminated through exchange programs with universities, specialized libraries and research centers. The promotion of our publications via catalogues, the Internet, announcements in bulletins or fliers in the publications themselves, has definitely had an impact.

B CENTER FOR ELECTORAL PROMOTION AND ASSISTANCE (CAPEL)

The changes that have taken place in the political systems of the Latin American countries in the 1990s have strengthened the process of transition and the return to civilian rule, notwithstanding growing economic and social inequalities in the region. Indeed, the 1990s has confirmed the decline of military authoritarianism, the rise of democratic systems and the decline in large-scale human rights violations. The progress achieved in the field of respect for political rights in this decade has no parallel in history, and almost all our countries have made headway in developing pluralist and democratic systems.

Between 1992 and 1998 democratic elections were held in all the countries of the region except Cuba. Some nations went to the polls several times, for general and parliamentary elections or referendums. Some elections were especially important, such as the one in El Salvador (1994), where the peace process led to an election in which the former rebel movement *Frente Farabundo Martí para la Liberación Nacional* (FMLN) not only took part but became the country's second most important political force. Another election that had a major impact the same year was the one held in Mexico. Rated as the freest, fairest, most transparent and participative in the country's history, it was observed by over 80,000 citizens who responded to the invitation to monitor their own process. Constitutional changes were introduced in many countries, and referendums held to endorse them. In the case of Argentina and Peru, constitutional amendments permitted the presidents to be reelected (Menem and Fujimori, respectively).

However, during this period the public became disenchanted with the principal political actors (party organizations and the institutions in which their participation is most visible, i.e. parliaments), whose legitimacy was called into question. While in the 1980s political parties played a key role in the democratization process, the conditions of the structural adjustment programs and the devalued role of the State have undermined the position of political parties as mediators in society. The inability of rulers to govern efficiently under the rule of law, allied to the loss of prestige of professional politicians contributed to the emergence of the anti-political *caudillo* or outsider - "the man on the white horse"- as the new type of governmental leader.

CAPEL was created at the most critical point in the transition when the winds of democratization were blowing through all the structures of the region and making

the holding of periodic and free elections the key element of democracy From the outset, this specialized Area read the situation in the region correctly, which equipped it to meet the changing situation

With strict adherence to its mandate, and given the transformation that was taking place in the environment in which it worked, CAPEL always provided a timely response to requests for electoral technical assistance, improving and strengthening electoral systems and guaranteeing voters the right to free, honest and genuine elections

CAPEL devoted its energies to providing technical and political support for the consolidation of electoral bodies, the principal agents responsible for ensuring the neutrality and effectiveness of electoral processes This goal was achieved, in large measure due to the competence of the bodies themselves, the support of their constituency, and the contribution of organizations like CAPEL

1 CAPEL as an Executive Secretariat

Mindful of its responsibility and its own limitations, CAPEL promoted the creation of mechanisms that would permit the countries of hemisphere to collaborate with each other, sharing knowledge and information on electoral matters To that end, CAPEL fostered the creation of the Association of Electoral Bodies of Central America and the Caribbean (1985), the Association of Electoral Bodies of South America (1989) and the Inter-American Union of Electoral Bodies (1991) It exercises the Executive Secretariat of all three

Since their creation these Associations have been a bastion of democracy and an international consultative mechanism that has made it possible to gradually improve electoral systems Working with these networks of electoral institutions, CAPEL fostered horizontal cooperation and technical assistance and facilitated the sharing of experiences for the exchange of information and the reciprocal observation of elections, a process that led to the creation of a true "inter-American electoral family "

The Inter-American Union of Electoral Bodies now includes among its members all the electoral bodies of North, Central and South America and those of five Caribbean nations During its Fourth Conference, held in Ottawa in July, 1998, the Federal Elections Commission and the National Office of Electoral Processes of Peru became full members, raising the total number to 28

2 Technical Election Observation Missions

As a central element of its electoral promotion strategy in the hemisphere, and in keeping with its function as the Secretariat of the associations of electoral bodies,

CAPEL carries out election observation missions to the different Latin American countries

These observation missions have been one of CAPEL's most productive efforts, the sharing of technical expertise and electoral experiences has contributed to the consolidation of electoral systems in the period covered by this report

The methodology used for the observation missions makes them a learning experience the members of the missions share their own experiences and learn from those of others It also strengthens the links among electoral bodies by contributing to horizontal cooperation among equals, and makes it possible to share problems and practical solutions with the electoral body organizing the elections by presenting it with a document containing comments on the most important aspects of the elections observed

In resolutions adopted at their different conferences, the members of the associations of electoral bodies have underscored the importance of these observation missions, describing them as a well-grounded mechanism for horizontal cooperation among electoral bodies

CAPEL's election observation missions perform two functions they permit both the technical observation of the process and the impartial verification of the elections Mission members pay special attention to administrative aspects such as voter lists, the voter identity document, voting materials and procedures, and the counting and tabulation of votes They also monitor the effective application, in a specific electoral process, of the fundamental international norms governing civil and political rights To ensure a comprehensive and objective evaluation of the electoral process, mission members are selected in accordance with pluralist principles professionals specializing in electoral matters from different countries are joined by political analysts, all highly qualified and respected in their fields

Each mission carries out a work program that permits it to gather important information on the electoral process observed The members meet with the representatives of the principal political groups, organized sectors of civil society involved in the electoral process (especially those working in the field of human rights), and with government and electoral authorities On election day, the observers visit different parts of the countries and - in particular - the areas that are most representative

All the observation missions prepare a mission report for the host electoral body that includes a set of conclusions and observations on the elections In many cases these have brought about major improvements and important changes To cite but one example, the observation mission to the general elections in Bolivia in 1993 recommended that the National Electoral Court purge the electoral register, improve the quality of the indelible ink used and promote the participation of the

electorate by considering the effects of the ban on the operation of transportation services. Between 1995 and 1997, with technical assistance from CAPEL, the Court computerized, updated and purged the electoral role, and contracted firms that offered indelible ink of a higher quality for the June 1997 elections.

Following the general elections in Honduras in November 1993, the observation mission recommended that the local electoral body make changes in the pertinent legislation, improve the administration of the electoral process and the operations of the National Registry of Vital Statistics by taking steps to apply modern methods and professionalize and de-politicize the institution. The National Electoral Tribunal (TNE) of Honduras has been working on these problems and has made improvements in three basic areas: the administration of electoral processes, controls at the National Registry of Vital Statistics, and the voter identity document. The TNE is now working to strengthen the computerized system used for electoral processes.

The observation mission to the general elections held in El Salvador in March 1994, it was recommended "that two bodies be created: a non-partisan Tribunal of Judges familiar with the legal problems related to the electorate, political parties and the legality of elections, and an independent National Service or Directorate of Vital Statistics, Voters and Electoral Organization, headed by an official appointed by a special, non-partisan majority of Congress." As a result, in 1997 a law was passed in El Salvador creating the National Registry of Vital Statistics, an autonomous body separate from the Supreme Electoral Tribunal (TSE), which is now responsible for the control of the centralized civil registry and other registries.

The same report highlighted the need to draw up a totally new electoral register, improve the structure of the civil registry, and introduce a multi-purpose identity document to facilitate voting. The law creating the Registry of Vital Statistics empowered this body to develop and issue a new multi-purpose identity document to Salvadoran citizens. The TSE is currently discussing and considering the possibility of an electoral reform that would permit voting at home.

In the case of the Dominican Republic, during the general elections in May 1994 the observation mission detected and pointed out "serious inconsistencies in the electoral registry that suggest that it could have been tampered with." It is common knowledge that fraud was committed by using two electoral registries. In view of what had occurred, CAPEL provided technical assistance for the May 1996 general elections, with funds provided by USAID/Dominican Republic, and helped create a network of grassroots organizations so that civil society could exercise political control and conduct a parallel vote-count, thus ensuring that the will of the electorate was respected.

As these examples show, there is a symbiosis in the work of the observation missions and technical support projects implemented by CAPEL. One of the basic

characteristics of each is that when CAPEL implements a technical assistance project for the host electoral body, the observation mission is kept abreast of developments but always remains independent. In other words, the mission is conducted independently of the project. The latter provides input but never conditions the mission's work, which makes for an effective coordination of the implementation of activities and tasks.

Finally, it is worth noting that CAPEL organized a total of 34 USAID-funded observation missions during the period covered by this report. It was thus able to directly monitor almost every election, as well as political and technical developments, with a team of officials equipped and trained to organize and carry out these type of missions.

The observation missions permitted the electoral bodies to share know-how, experiences and technical and human resources, and were very useful for horizontal cooperation, providing input that was subsequently capitalized on to improve the technical and institutional operations of the different electoral bodies. There have been many cases in which electoral bodies have requested and received support from counterpart organizations to correct limitations identified by observation missions. Since the Program of Observation Missions was launched in 1985, CAPEL has contributed to the success of electoral bodies by serving as a coordinator and facilitator, and a promoter of efforts intended to gradually close the technical gaps between them.

3 Electoral Technical Assistance

Electoral technical assistance is at the heart of all the activities of the associations of electoral bodies. This dovetails with the IIHR's multidisciplinary approach, by applying different factors of analysis, methodology, technique and appraisal, including legislative, juridical, political and sociological considerations, to specialized technical-electoral issues.

CAPEL designs its technical assistance programs for electoral bodies based on appraisals that draw on the information obtained at the annual meetings of the associations of electoral bodies and that contained in the requests for technical assistance from the bodies themselves.

CAPEL provides technical assistance in the following areas: modernization and institution building, electoral administration systems (schedules of activities, the design, definition, printing and acquisition of electoral materials, the design of plans for packing, distributing and collecting of electoral materials, the auditing of electoral registries, the design of systems for the timely, safe and efficient relaying of election results and their dissemination to the public), civic education campaigns and the training of electoral officials, polling station officials and representatives of political parties, the design of programs for electronic data processing, applied to

specific electoral processes, civil and electoral registries and identity documents, and the relaying of results

The methodology used for electoral technical assistance varies but has one basic characteristic the close, personalized relationship maintained with the national electoral body in question, its members and management staff National counterparts are also established to guide the specific program in permanent coordination with CAPEL, through a team of expert advisors chosen by CAPEL Specific programs may be national or regional in scope, depending on the assistance required by the national electoral body concerned

Horizontal cooperation, the fundamental activity of the associations, has made it possible to get to grips with structural changes in the electoral bodies Combined with the many exploratory and negotiating missions, this has enabled CAPEL to take the first steps in regard to what became important specialized technical assistance projects, such as the Project for the Promotion of Civil Society in Guatemala in 1995, which worked with Mayan populations, delegates and deputy delegates of the Supreme Electoral Tribunal, and candidates for the office of mayor and deputy, the Project of Activities in Support of the Action Group and the Citizens' Participation Group, for the Implementation of an Electoral Promotion Program in the Dominican Republic, which trained 500 volunteers who became the nucleus of the Network of Observers, 140 representatives of Dominican civil organizations and 50 journalists Also thanks to the cooperation of USAID, it was possible to provide Technical Assistance to the National Electoral Court of Bolivia in the run up to the December 1995 municipal elections, which was then continued through the general elections held June 1, 1997 Negotiations also took place for the project Technical Assistance to the Supreme Electoral Council of Nicaragua, for the general elections in October 1996

The many CAPEL projects of technical assistance to electoral bodies, and its civic education and motivation campaigns, have made it the largest provider of specialized electoral technical assistance services During the period covered by this report, 13 specialized technical assistance programs were carried out in the region

CAPEL has systematized and disseminated, throughout the hemisphere, the best elements of the techniques that each of the electoral bodies has developed over the years In other words, it has become a major channel for disseminating the learning processes that each electoral body has undergone, either on its own or in collaboration with others CAPEL has drawn on the lessons that they have learned and has adapted them to the specific conditions as necessary

It is in the field of electoral training that the immediate impact of CAPEL's activities can most easily be seen CAPEL's campaigns to educate the electorate and get out the vote have, in many instances, significantly increased the turnout (e g in

the general elections in Panama in 1994 and the elections in Nicaragua in 1996) Broadcast in the mass media, these campaigns proved very popular and their importance was acknowledged by the population ²

The technical assistance provided to the electoral tribunals of many countries in the region (in areas such as the issuing of identity documents, the compiling of voter lists, organization, the control and counting of votes, logistics or computer systems), helped restore public confidence in these organizations, especially during the transition toward democracy. During this period, eight citizens' education campaigns were carried out, including the campaign to get out the vote in Nicaragua for the 1996 elections, and the civic, motivational and educational campaign in the run up to the congressional elections on August 14, 1994 in Guatemala

4 Training

In order to train the managerial and political staff of the electoral bodies CAPEL organized a large number of educational and training activities, including courses, conferences, seminars (such as the last three Inter-American Courses on Elections and Democracy) and the first systematic effort to professionalize the middle management of the electoral bodies of Central America and the Caribbean

The primary objective of the Inter-American Course on Elections and Democracy is to provide an opportunity for the discussion and analysis of the principal problems and challenges facing the democratic system in Latin America. The orientation of the first courses was more technical-electoral than political, in view of the needs of the electoral bodies themselves. However, this was later modified slightly in response to the new electoral-political conditions in the region and the problems faced by electoral bodies, such as the infiltration of drug traffickers into campaigns and the possible use of technology to commit fraud. On the other hand, the gradual narrowing of the huge differences between the electoral bodies has made it possible to deal with emerging issues that the governing bodies and officials of the electoral bodies need to address. In light of the latest developments, the challenge facing CAPEL is that of continuing to serve the electoral bodies

For the Eighth Course the methodology was modified to permit greater participation and enrich the sharing of experiences among the sectors that take part: electoral bodies, political parties and civil society organizations. For example, the work was structured around thematic and chronological modules. The first module focused on an analysis of the political, economic, social and cultural dimensions of the national, regional and international context, analyzed from the standpoint of the central theme of *"Governability and the Reform of Politics"*. The second module consisted of an analysis of alternative scenarios for the reform or

² See the IIHR's report to USAID for the period January - December 1993

redesign of political institutions, with emphasis on concerted social and political action

5 Research, documentation and dissemination

The underpinning of all this work has undoubtedly been the systematic research and the documentation and dissemination of knowledge related to electoral matters in the Americas. Described below is the research and publications strategy that CAPEL implemented and the publications produced at each level

The academic publications, the fruits of major research projects, included the books *Partidos y Clase Política en América Latina en los 90* and *Elecciones y Democracia en América Latina 1992-1996, Urnas y Desencanto Político*. The topic-specific publications included issues 36-43 of the *Serie Cuadernos* of CAPEL, dealing with current issues such as the representativeness of electoral systems, political parties and elections, public opinion and democracy, legislative development and political reform, and the automation of elections. This line of publications also included semi-annual issues (which began in 1992) of the *Boletín Electoral Latinoamericano*

Finally, informational publications included the technical reports of the various observation missions and the *Directorio Anual de Organismos Electorales*

6 Overview of the work carried out during this period

The following is a summary of the work carried out by CAPEL

- Major progress has been achieved by the electoral bodies in the principal areas identified as problems in the mid-1980s, including the autonomy of electoral bodies, institution building, electoral management, civil and electoral registries, voter registration cards, the counting of votes and the relaying of results, motivational and civic education campaigns, and training programs for permanent and ad hoc officials
- CAPEL's work during this period in its capacity as the Executive Secretariat of the regional associations has resulted in an intense and valuable exchange of experiences on technical-electoral matters. This has generated a process of electoral benchmarking that, through the mechanism of horizontal cooperation, has made it possible to transfer the best electoral practices from one country to another
- The decision of CAPEL and the regional organizations grouped under the Tikal and Quito Protocols to promote associations of electoral bodies totally independent of the governments proved to be well-founded as it made it possible to focus the working agenda on technical rather than political issues

The work of the associations also has had a positive impact on the legal, administrative and financial independence of the electoral bodies in several countries. Given the positive results, the associations decided to create the Inter-American Union of Electoral Bodies, whose members include the electoral bodies of North America (Mexico, Canada and, most recently, the United States). CAPEL also exercises the Executive Secretariat of this body.

- Equally correct was the decision to focus efforts on the areas of institution building and the development of the technical and management capabilities of the electoral bodies. Those bodies that have made major progress have taken the initiative in the public sector, promoted a better relationship with their beneficiaries and established criteria for reviewing their work methods and ensuring internal efficiency. This has had a very positive impact on the evolution of the democratic system as a whole.
- The improvements observed during this period have raised public confidence in electoral bodies, generating positive conditions for progress in establishing closer ties with the electorate and development programs.

7 Conclusions

Our traditional counterparts -the electoral bodies- have demonstrated a greater ability to guarantee transparent, participative and efficient electoral processes. Many of the weaknesses of the electoral systems were remedied thanks to international aid and specialized technical advisory assistance, fields in which CAPEL has constituted, and continues to constitute, a paradigm for others to imitate. Broad experience has been acquired in the administration of international cooperation resources and the design and implementation of specialized electoral technical assistance programs and projects, setting a successful example that has since been followed by other international organizations.

The needs of the electoral bodies have changed, as demonstrated by the annual surveys of strengths, weaknesses and needs conducted by CAPEL in its capacity as the Executive Secretariat of the Protocols of Tikal and Quito and of the Inter-American Union. This calls for the establishment of new joint programs to meet current needs.

Without abandoning its cooperation in the traditional areas of technical assistance, CAPEL's goal for the years ahead is to contribute to the modernization of electoral bodies and processes through the incorporation of new technologies and systems that will improve the efficiency and effectiveness of the voting process, and all the related activities.

C SPECIALIZED CONFERENCES

Events of the highest academic and institutional level were also funded by USAID during the life of Grant 2049

One of the principal academic events was the holding of the Twenty-fourth External Session of the International Law Academy of The Hague, in San Jose, Costa Rica, from April 25 to May 6, 1995. This was the first time that the Academy held this course in Central America and the IIHR was chosen as the counterpart organization.

The activity was attended by some 70 participants from Central and South America, Mexico and the Caribbean. Three core subjects were addressed: the international protection of human rights, peace-keeping and peace-building, and the peaceful resolution of international conflicts.

In recognition of its work, the IIHR was presented with the collection of the prestigious *Recueil des Cours de l'Academie du Droit International de la Haye*, the most complete compilation of research and studies on International Public and Private Law. Consisting of over 250 volumes, this collection may be consulted at the Joint Library of the Inter-American Court of Human Rights and the IIHR.

Another important effort was the IIHR's work as part of the process of evaluating the outlook for, and further development of, the inter-American system for the protection of human rights.

From its earliest days, the Institute regarded collaboration in the strengthening of the inter-American system as an intrinsic part of its mission. This has motivated its actions throughout the process, which continues today.

The funds earmarked for specialized conferences have enabled the IIHR to coordinate activities with other international organizations and promote the role of bodies such as the Organization of American States, the Inter-American Commission and Court of Human Rights among the countries of the hemisphere.

One of the most important events took place in May 1996, when the IIHR and the International Rule of Law Institute of George Washington University co-sponsored a conference that brought together ambassadors to the OAS, members of the Inter-American Commission on Human Rights, judges of the Inter-American Court of Human Rights and experts from Europe and the Americas, to examine the functioning of the organs of the inter-American system. Experts from the Institute dealt with topics such as the role of victims during proceedings, the criteria for the admissibility of complaints lodged with the Commission and criteria for submitting cases by this body to the Court, publicity and confidentiality during proceedings.

This effort was endorsed in June 1997 by a resolution adopted by the OAS General Assembly that recognized the capacity and experience of the IIHR in taking part in the review of the system, particularly bearing in mind the importance of avoiding any attempt to politicize the debate and of discouraging the adoption of reforms that would weaken, rather than strengthen, the system

The IIHR was involved in the publication of the book *El Futuro del Sistema Interamericano de los Derechos Humanos*, which contains all the ideas presented at the aforementioned conference. Following its distribution in March 1998, the IIHR hopes to obtain further inputs from a wider audience that will be used to enrich the debate in the months ahead

D LIBRARY, DOCUMENTATION CENTER AND DATA BASE

1 Joint Library

At the start of the Grant, the Library had neither the technical tools nor the specialized services and products needed by internal users to conduct quality research

As a result, it was necessary to set a number of goals related to improving the quality of its services and products. Among other activities, new services were designed and put into operation, processing of bibliographic material was accelerated, the library's technical and administrative processes were computerized, its personnel received training, and additional national and international agreements on the exchange of publications were signed

The Joint Library serves internal users (staff of the Inter-American Court and the IIHR) and external users (professors and students of law schools and related faculty from universities in the Americas and Europe, graduate law students, NGOs, government offices, ombudsmen's offices, law firms, embassies, courts and students at all levels). During the five years of this Grant the number of consultations has more than doubled

1.1 Strategy and methodology of the work carried out

In order to achieve the goals and implement the activities included in the different work plans drawn up over these five years, temporary personnel were hired to accelerate execution of the projects related to the systematization of information

One of the key areas for the library has been the handling of information, defining criteria for the selection, acquisition and evaluation of bibliographic and non-bibliographic materials. Guidelines have also been established for standardizing the procedures used to catalogue and classify documents the library purchases and those received via exchanges and donations

The library's in-house personnel divides its work according to the type of services and products offered the reference and data base consultation area, the materials processing and vertical files area, and the book and journals collections. The temporary personnel hired by the library have helped to speed up execution of the systematization projects undertaken in recent years.

During the period covered by this report, the book and journal data bases were designed, and funds provided by USAID were used to update the book and journal collection, which has increased by 7,000 books and 150 journals.

Substantial improvements were also made in the computer equipment the library has at its disposal to execute the projects related to automation and electronic access to the information contained in its data bases.

1 2 Obstacles encountered in the execution of projects

The ongoing problem has been the lack of a fixed and sustainable budget, making the library totally dependent on the allocation of resources by cooperation agencies.

This has led to delays in the implementation of projects, a shortage of computer equipment, a lack of resources for hiring temporary personnel, and a need for more physical space for project personnel.

1 3 Overview of the work carried out

The funds contributed by USAID were used to

- create four data bases containing documents from the UN and OAS, books and magazine abstracts,
- design and place on line an automated list of the institutions with which the IIHR exchanges publications, which now total 400 at the national and international levels,
- install e-mail and Internet in two of the library's computers, making it possible to conduct more specialized searches, and to facilitate communication with the users, at a lower cost and in less time,
- abstract 5000 articles from periodic publications, allowing for more efficient use of the periodic publications collection,
- increase the book collection especially on new topics that the library is required to deal with, such as the rights of senior citizens,

- hire two librarians, responsible for most of the activities carried out between 1992 and 1998, and
- acquire a server for the installation of a new network platform (Windows NT), so as to upgrade the processes, services and products of the library, and permit remote access by IIHR staff members to the information in the library

The improvement of its services, the variety of information it offers and a more aggressive dissemination strategy have helped consolidate the library's standing in Latin America, as the most complete information center in the field of human rights. This is reflected in the increase in the number of consultations each year.

2 Documentation Center

In 1992, the library and the documentation units were separated and a single Documentation Center created, which is coordinated by the Director of the Area of Education.

As a result, the Documentation Center acquired its own structure in terms of thematic definition, purposes, working techniques and instruments and the type of services and products available to users. In this regard, the most advanced instruments have been used for the analysis and storage of information. Beginning in 1996, the Internet was introduced for conducting searches for users and the systematization of information by the Center. In 1997, the *Model* data base was placed at the disposal of the public through the Acceso Foundation for the consultation of the entries it contains, thus expanding the Center's services via this medium.

The actors in the different areas of work are the end users of the information: the staff of the IIHR, the judges and academic staff of the Inter-American Court, the academic community of Costa Rica and Latin America as a whole (law schools, legal research institutes, human rights researchers, university students, etc.), officials of specialized human rights organizations pertaining to the inter-American, European and universal systems, other international organizations, specialized libraries and documentation centers, government agencies and NGOs.

2.1 Strategy and methodology of the work carried out

The Center gives priority to the tasks related to services and products for internal and external users: loans of documents on request (including other libraries and institutions), local consultations of the data bases, the preparation of secondary documents containing references on the primary documents that form part of its collection (specialized bibliographies on diskette or in printed form and bibliographical lists of all kinds, by topic, title, author, country, etc.), specialized

searches³, remote consultations of the Center's data bases⁴ and searches on the Internet

The Documentation Center covers all aspects of the human rights situation in the hemisphere from several perspectives. Some examples of its specific topics are human rights education, refugees, human rights organizations, indigenous peoples, electoral processes, women, armed/security forces, mental health, and the socioeconomic and sociopolitical context

Since 1980 a collection has been compiled that reflects the development of human rights under the different conditions in Latin America. Most of the documentation is in Spanish, followed by English, Portuguese and French, which are the official languages of the inter-American system

Its lines of work include

- ***Bibliographical Documentation Center*** this is where the so-called documentary cycle takes place, which involves everything related to the selection, cataloguing, analysis, storing and retrieval of the information by professional librarians. Its tangible results are the bibliographical data bases, the catalogues and informational bulletins, services for users, specialized searches, and the elaboration of bibliographies on request

The sole purpose of the documentary cycle is to meet the information needs of the IIHR's users, who were identified through research conducted in 1993. The results are updated periodically, though not in the rigorous way in which the initial research was carried out

- ***Systematization of the information*** this consists of the analysis and systematization of the information contained in the monographs and periodic publications of the bibliographical collection of the Center and the Joint Library, for the elaboration of tertiary documents such as the Map of Human Rights, the CD-ROM *The Legal Dimension of Human Rights* and the computerized directories of human rights organizations (DIRORG data base, with 950 references on human rights and civil society NGOs)
- ***Technical assistance*** this line of work -which was not executed to its full potential- resulted in support for the strengthening of specialized human rights information units in Guatemala (1995 and 1996) and the holding of a seminar-

³ This service is exclusively for internal users. Searches are conducted of both the Documentation Center and Joint Library and other libraries in Costa Rica

⁴ This service is provided via the web site administered by the Acceso Foundation which provides information on the contents of the collection. Users make contact via e-mail and are then sent photocopies of the documents requested by regular mail or courier

workshop on the organization and installation of specialized information centers in El Salvador (1997), and the production of a Manual on the Organization and the Management of Human Rights Information Centers (1996), to support already established information centers that have reached a certain level of development and have professional personnel in charge

These are the three areas in which the Documentation Center has been implementing projects with financial assistance from USAID

2 2 Obstacles that have arisen during the implementation of the project

The work described and the outputs obtained show how the profile of the Documentation Center is not that of a traditional library. It has characteristics that make its work extremely complicated and varied, which has resulted in the staff being overworked and having to do several jobs at once. It is another case of insufficient resources to meet the overwhelming demands and needs.

There is also insufficient room to house the collection and attend to the public. The fact that the Center is located in a building some blocks from the Institute also makes it difficult for the staff of the IIHR to use it.

Nor has it been possible to update the INDIG data base, created in 1992 and containing 565 references on indigenous organizations worldwide.

In spite of these difficulties, quality inputs have been provided for the work of the IIHR, in terms of both consultations of the collection and the systematization of information.

In a majority of cases, the Center has supplied the basic documents for the elaboration of new proposals and projects and other inputs for research.

2 3 Overall assessment of the work carried out

The results achieved during the period are reflected in the different lines of work carried out by the Documentation Center.

In the bibliographical area, two data bases are in place containing references to the documents that make up the collection.

- **Model** 7500 references on the human rights situation in the hemisphere vulnerable populations (women, children, indigenous peoples), the sociopolitical protagonists (armed forces, the police, non-governmental human rights organizations, governments) and the economic, political, social and human rights processes of the last two decades (structural adjustment, external debt, internal armed conflicts, transition to democracy, electoral processes, etc.). The

Model data base can be consulted locally or via Internet at [http //www acceso co cr](http://www.acceso.co.cr)

- **Educa** 1200 references on human rights education materials, including both conceptual aspects and didactic materials

The document collection consists of around 10,000 monographs, 200 journals, 150 videos, a collection of national legislation (political constitutions, criminal codes, laws on constitutional jurisdiction and electoral laws) and posters. The Documentation Center is also the depository of the documentation related to the sixteen Interdisciplinary Courses (academic binders and works)

The directory of civil society organizations (DIRORG data base) is being updated in order to complete the guide to these entities printed in 1995

The *Masterlex* data base is used for consultations concerning national and international human rights legislation. It includes the complete text of the international human rights instruments of the universal, inter-American, European and African systems, international humanitarian law (the Geneva Conventions and their respective Protocols), the jurisprudence of the Inter-American Court of Human Rights in contentious cases, and the constitutions and related legislation (*amparo*, constitutional jurisdiction and habeas corpus) of all the countries of Latin America, the Spanish-speaking Caribbean, the United States and Canada. The CD-ROM *The Legal Dimension of Human Rights* contains all this information.

The Center drew up a guide to Internet sites dealing with human rights and related subjects, which is complemented by the compiling of the addresses of human rights and civil society organizations that are provided on these sites.

Finally, the most important achievement in the area of technical assistance was the organization and setting up of the specialized library of the Human Rights Office of the Archbishopric of Guatemala.

E INSTITUTIONAL DEVELOPMENT AND SUPPORT

This crucial element for the operation of the Institute enables to a) bear certain administrative costs inherent in an institution such as the IIHR, b) present proposals to new donors, c) respond to challenges that arise unexpectedly, d) train its staff, and e) convoke its governing body.

In order to best carry out its functions the Institute has been divided into four distinct but interrelated thematic areas (Education, the Center for Electoral Promotion and Assistance Public Institutions and Civil Society), which conduct programs throughout the hemisphere. In addition the IIHR has recently created the Directorate of Research and Development, which among other functions has

overall supervision of integrated programs, in which all of the thematic areas collaborate in projects in a specific country. A pilot program for this approach is being carried out in Guatemala. Given the success of that endeavor, it is hoped to replicate it in other countries of the hemisphere.

Institutional support funds contribute to the salaries of the Executive Director, the Director of Administration and Finance, accountants, computer specialists and others who do not work directly with specifically funded IIHR programs. In this way, institutional funds contribute indirectly to all of the IIHR projects.

These funds are also utilized for the ordinary functioning of headquarters, which includes expenses for office and computer supplies, security, repairs and improvements, transportation, cleaning, insurance and bank charges.

The funds are also employed to assure the efficient and honest administration of the IIHR, as verified by the external audit performed by an internationally recognized firm of auditors. This guarantees to the donors that the funds given to the institution are used in accordance with the rules established in the respective agreements of cooperation and, what is more important, are linked to the objectives for which the Institute exists.

It is important that the funding of the IIHR is obtained from the widest possible source of donors. At the present time, the Institute is financed by governments, international agencies of cooperation, private foundations, agencies of the United Nations, universities and non-governmental organizations. This broad diversification gives the IIHR the independence necessary for its work and grants its credibility, especially with its beneficiaries.

Inasmuch as the Institute does not have the luxury of a guaranteed income, the Executive Director and the Area Directors are constantly engaged in obtaining new and renewed grants for activities aimed at the advancement of democracy and human rights. By virtue of these institutional missions, meetings with current and prospective donors are held to obtain funds for the management of programs and to negotiate agreements for projects in the countries in which it hopes to work.

Institutional support is not limited to relations with donors. A dialogue is also required with the projects' beneficiaries who range from high government officials to those working at the grass-roots level. All are indispensable for the consolidation of democracy in Latin America and at the same time they advance the work of the IIHR.

Institutional funds are critical in order to take advantage of opportunities that, by their very nature, cannot be programmed. The IIHR has repeatedly encountered very fluid situations that call for an IIHR program that is urgent and could not have been foreseen in the proposals presented to the various donors. It is especially

important to have funds available to send a mission to assess the situation in order to subsequently present a proposal to a prospective donor

These funds also contribute to professional development and training. In today's fast changing world, it is necessary that staff members be given the opportunity to keep themselves current on new developments in the field. One of the best ways to achieve this is through attendance at seminars, conferences and courses. Not only do these activities make for better trained employees but they also raise morale.

Institutional funds are also employed to hold the annual meeting of the IHR Board of Directors and meetings of its Permanent Commission. The Board is the Institute's governing body and is composed of twenty-seven internationally respected experts who provide advice and guidance on an institutional and programmatic basis. The Permanent Commission, which meets periodically to offer advice to the Executive Directorate, is composed of the President, Vice Presidents and two members of the Board.

F CONCLUSION

During the period covered by this report, political processes took place in the Latin American countries that have contributed, at different levels and in different ways, to the establishment of formal democratic systems underpinned by the minimum norms of respect for civil and political rights.

In broad terms, the positive elements that stand out in the period are the finalization of the internal armed conflicts in the Central American countries, the investigations of human rights violations carried out by the Truth Commissions in nearly all the countries where dictatorships had held power and wars had taken place, the recognition of civil and political rights, the holding of free elections in the vast majority of countries, the gradual strengthening of the Judicial Branches, which were formerly used to serve the interests of the armed forces, and the establishment of internal bodies for the protection of human rights, such as ombudsman's offices and courts of constitutional law.

USAID's contribution permitted the IHR to cover practically all the areas of work, in some cases with more sophisticated mechanisms than in others, but always with the clear goal of protecting the rights of individuals. In this sense, the educational efforts went beyond the simple promotion of human rights, democratic institutions were also strengthened, especially those whose function is to safeguard the rights of individuals.

As the human rights perspective is incorporated into new social and cultural issues, new challenges arise. Mindful of this and in accordance with the recommendations made following the evaluation conducted in 1997 at the request

of USAID on its mission and specialized programs, the IIHR is engaged in a process of internal restructuring. The aim is to ensure that it continues to be in tune with the increasingly broad and diverse human rights movement and in a position to meet effectively the challenges that the new millennium will bring.