

## **V. OTHER AGENCIES AND ENTITIES**



## **INTER-AMERICAN COMMITTEE ON NATURAL DISASTER REDUCTION**

The Inter-American Committee on Natural Disaster Reduction (IACNDR) was created by the General Assembly through resolution AG/RES. 1682 (XXIX-O/99), to deal with natural disaster-related issues and to serve as the OAS' main forum for analyzing this topic, in coordination with the competent national organizations. It is chaired by the OAS Secretary General and composed of the Chair of the Permanent Council, the Assistant Secretary General, the President of the Inter-American Development Bank (IDB), the Director General of the Pan American Health Organization (PAHO), the Secretary General of the Pan American Institute of Geography and History (PAIGH), the Director General of the Inter-American Institute for Cooperation on Agriculture (IICA), the Executive Secretary of the Inter-American Council for Integral Development (CIDI), and the Director General of the Inter-American Agency for Cooperation and Development (IACD).

The IACNDR mobilized in the wake of the devastation caused by hurricanes Ivan, Francis, and Jeanne in a number of member states of the Caribbean. Under the terms of the existing agreements and the leadership of PAHO and the Pan American Development Foundation (PADF), the Committee discussed and supported the coordination of efforts and relief supplies for the affected countries. The Committee also stayed in close contact with regional disaster preparedness agencies and assisted with and supported the start of rebuilding efforts, with the emphasis on reducing vulnerability.

The IACNDR also helped with the preparations for the World Conference on Disaster Reduction, held in Kobe, Japan, in January 2005. Representing the Committee, PAHO participated in the meetings of the Inter-Agency Task Force of the International Strategy for Disaster Reduction, which assisted with preparations for the Conference's regional session. The Office of Sustainable Development and Environment provided useful input for the preparations for that regional session.

Members of the Committee continued to promote the Inter-American Strategic Plan for Policy on Vulnerability Reduction, Risk Management, and Disaster Response (IASP) with various interested parties in the inter-American community. A number of areas of activity that the Plan tackles will require support and decisions on the part of the national governments. Technical experts from member countries of the IACNDR participated in the October 27 meeting of the Committee on Hemispheric Security, which discussed issues related to natural disaster mitigation. Both the IACNDR and the OAS General Secretariat, in particular, will support the renewed emphasis that the Committee on Hemispheric Security is devoting to strengthening disaster reduction mechanisms in the region.

The IACNDR will continue to supervise implementation of the activities contained in the strategic plan.

### **FONDEM (Inter-American Emergency Aid Fund)**

During this reporting period and in response to various natural disasters in the region, the OAS General Secretariat made the following contributions, expressed in United States dollars:

#### **2004**

Dominican Republic (Sept.)	\$25,000
Haiti (Sept.)	\$25,000
Jamaica (Sept.)	\$25,000
Grenada (Sept.)	\$25,000
Saint Vincent and the Grenadines	\$25,000

Peru (Sept.)	\$10,000
Dominican Republic (May)	\$25,000 (Channeled through the PADF)
Haiti (May)	\$25,000 (Channeled through the PADF)

**2005**

Guyana (Jan.)	\$15,000
Costa Rica (Jan.)	\$15,000

## **JUSTICE STUDIES CENTER OF THE AMERICAS**

In fulfillment of the mandates set forth in the Plan of Action of the Second Summit of the Americas and the recommendations adopted at the Meetings of Ministers of Justice or of Ministers or Attorneys General of the Americas, the Justice Studies Center of the Americas was established by the General Assembly [AG/RES. 1 (XXVI-E/99)] as an intergovernmental entity with technical and operational autonomy. The Center is governed by its Statute and Rules of Procedure, and its objectives are to help strengthen human resources, facilitate the exchange of information and other forms of technical cooperation, and support reform and modernization of justice systems in the region.

During this reporting period, the Center conducted the following activities:

### **Justice systems and innovative ideas for judicial reform**

The Center's main project in the area of criminal justice has been the follow-up project on criminal procedure reform (3rd stage 2004). This study, the third phase of which was conducted in 2004, seeks to compile comparable data on the functioning of the criminal justice systems so as to detect their chief problems for purposes of creating fully adversarial and public systems. As of now, the systems of 14 countries in the Americas have been examined.

The Center also participates and provides technical support through its training activities and consulting services to Colombia, Mexico (at the federal and state levels), Peru, and the Dominican Republic. In December, the Center signed an agreement with the Government and the office of the Attorney General of the Province of Buenos Aires, Argentina, to strengthen the accusatorial system. This is the Center's first direct with-country project since its establishment.

The Center prepared the study titled "Judicial System and Racism against Persons of African Descent," which was the result of a request from the OAS General Assembly [AG/RES. 1930 (XXXIII-O/03)]. In that resolution the General Assembly, with a view to a possible inter-American convention on the subject, asked the JSCA to analyze the current situation of persons of African descent vis-à-vis the justice system. The study was carried out in Brazil, Colombia, the Dominican Republic, and Peru.

On the subject of private funding of the justice system, the JSCA worked on a study examining the bases, advantages, and disadvantages of financing justice systems by charging user fees, and to show how these systems operate in various countries of the region. The study contains information on Argentina, Bolivia, Brazil, Canada, Paraguay, Peru, Puerto Rico, Spain, the United States, and Uruguay.

### **Cooperation and the exchange of experiences**

This past year, the work done toward this goal has seen significant growth in the training area, as such activities are a natural extension of the studies carried out, particularly the studies to follow up on reforms in criminal procedure in the justice systems in the region. Those studies pointed up a variety of problems with preparations, operations, or management—problems that could be corrected by training the persons in charge of crafting the reforms or those who will operate the new system. This triggered a spontaneous surge in the demand for training courses, which is why the JSCA has started to promote a regional training program.

### *Inter-American Program to Train Instructors for Criminal Procedure Reform*

The purpose of this program is to improve the results of the processes to reform the criminal justice systems in the region by training a key group of leaders and by conducting mirror activities in their respective countries. The first version, held in 2004, consisted of four different stages and was attended by 54 students from 17 countries in the Americas, selected from a pool of 164 applicants.

### *Other activities*

The JSCA organizes workshops on the ground for a firsthand look at accusatorial criminal justice systems that have been successfully introduced and are working well. These workshops are conducted in Chile, where participants attend hearings and/or oral proceedings, get to know the institutions that participate in the system, and meet with the authorities of those institutions. Between March 2004 and February 2005, seven visits were made involving groups from Argentina, Mexico, and Peru (judges, attorneys, lawmakers, government officials). During this reporting period, the JSCA conducted five practical courses in reform of the criminal procedure system and oral litigation: three were in Argentine, one in Peru, and one in Mexico.

The JSCA also organizes virtual forums to discuss current issues of regional interest. The method of the forums combines a system of e-lists, for discussions via e-mail, with open subscription and chats moderated by regional experts on the issues under discussion. During this reporting period, the following forums were held: the Judicial System and Racism against Persons of African Descent; Gender and Justice; and Judicial Governance.

The internship program enriches the work of the JSCA thanks to the participation of professionals and students from many countries in the Americas and even other continents. Permanent ties are established and maintained with local institutions and experts. During the year, the Center welcomed 11 *pro bono* interns, four on stipends, and one senior fellow.

The JSCA is always participating in local and international events, as a speaker, organizer, sponsor, and/or patron. In this reporting period, the JSCA participated in 63 seminars or conferences in the region, a rate of 1.5 events per week.

### **Generating and disseminating instruments that improve information on justice in the Americas**

The JSCA participated in a number of activities to support judicial information systems. A study was prepared on access to judicial information to ascertain the degree of access to information on and reporting of judicial proceedings and how the court services take into account the information needs of users, academics, and the mass media. The study was completed and presented through discussion seminars in the three countries where the research was done, namely Argentina, Chile, and Peru.

Statistics were also compiled and justice indicators developed so as to collect, compare, and process statistical data based on the matrix of information developed in *Coding and Decoding Vol.I: Manual on Generating, Compiling, Disseminating, and Validating Judicial Statistics and Indicators*. The research was done in Belize, Chile, Colombia, Costa Rica, El Salvador, and Guatemala. The end product was *Coding and Decoding Vol.II: Judicial Indicators for the Americas*.

The project on “Judicial Indicators for Central America, the Caribbean, and Mexico” was conducted in Costa Rica, the Dominican Republic, El Salvador, Guatemala, Mexico, Nicaragua, and Puerto Rico. It compiled and presented relevant judicial indicators in order to show the state of the administration of justice in those countries and compare their performance.

Also prepared was the study titled “Index of online access to judicial information,” which assesses the volume of basic, public information that certain organs of the justice system make available to the citizenry, in this case the public ministries and judicial branches of government in the Americas. The study is being distributed to the corresponding institutions. Also, the Center prepared the report on Justice Systems in the Americas (2004-2005), whose purpose is to provide a comprehensive picture of the systems of justice in all countries in the region, describing their structure and features, operation, productivity, and reform initiatives in progress. The first edition, for the year 2002-2003, was presented at a number of events in 2004 (in Mexico, Costa Rica, El Salvador, the United States, Ecuador, and Brazil), and at REMJA-IV. Work is currently in progress on the 2004-2005 report, whose publication is expected in July 2005.

### **Information reporting systems**

The JSCA has a Virtual Information Center, a virtual platform through which the JSCA supplies the regional community with all the information it generates and/or compiles relating to the judicial systems. During this reporting period, there were a number of developments, among them the e-learning site (JSCACAMPUS), the site for the Judicial Systems Journal, and the Consultants Database.

A total of 12 issues, in English and Spanish, of the “Nexus” Newsletter were published during this reporting period, along with two semiannual issues in Portuguese and French. The Newsletter provides a summary of the current state of judicial modernization in the region and of justice systems in general. It produces new content and introduces new sections from month to month.

The Judicial Systems Journal stimulates discussion and an exchange of information and experiences on the justice systems in the Americas. During this reporting year, issues 7 and 8 of the Journal were published. Their central themes were “Oral Proceedings and the Institutionalization of Formal Procedures in the Justice System” and “Comparing Judicial Systems in the Americas: Opportunities and Challenges.”

The JSCA maintains contacts with the media specializing in the justice sector. It keeps them constantly informed of its activities and studies. This year, media coverage of the JSCA increased by 154 percent.

## ADMINISTRATIVE TRIBUNAL

The Administrative Tribunal of the Organization of American States was created on April 22, 1971, by resolution AG/RES. 35 (I-O/71), which the General Assembly adopted at the ninth plenary session of its first regular session. Its function is to settle any disputes that may arise with staff members by reason of administrative decisions, including those relating to the Retirement and Pension Plan of the General Secretariat. It has six members, each of a different nationality and elected by the General Assembly in a personal capacity to a six-year term. Three judges sit at any given session. The Secretary of the Administrative Tribunal heads the Secretariat of the Tribunal, which is under the Department of Legal Affairs and Services of the General Secretariat. The Secretary provides legal advisory services to the members of the Tribunal, oversees the statutory procedure that cases filed with the Tribunal must follow, and is in charge of the administrative business of the Tribunal and its Secretariat. The Secretary of the Tribunal also serves as a legal officer, under the general supervision of the Assistant Secretary for Legal Affairs.

In addition to the Tribunal's routine administrative activities, in 2004 the OAS Administrative Tribunal conducted the following activities:

On the occasion of the thirty-fourth regular session of the General Assembly, held in Quito, Ecuador, in June 2004, the Tribunal was represented by its President, the Honorable Judge Lionel Alain Dupuis (Canada), and its Secretary. Judge Dupuis was reelected by acclamation for the 2005-2010 term.

It is worth noting that pursuant to paragraph 3 of Article III of the Tribunal's Statute, at its meeting of February 4, 2004, the Permanent Council elected, by acclamation, Mr. José Antonio Arze Aguirre of Bolivia to membership on the Tribunal.

Judge Arze Aguirre was elected to replace Judge Franz Álvaro Vega Noya (Bolivia) and will serve out the remainder of Judge Vega Noya's term. The latter had been elected by the General Assembly at its thirtieth regular session, held in Canada in June 2000.

The following were among the activities of the President of the Tribunal, Judge Lionel Alain Dupuis (Canada), during the General Assembly's thirty-fourth regular session:

- A meeting with the Executive Director of the Justice Studies Center of the Americas.
- A meeting with the Chair of the Inter-American Juridical Committee.
- An appearance before the General Committee to comment on the observations and recommendations made in connection with the Tribunal's Annual Report for 2003.
- A meeting with civil society organizations.
- Participation in the informal meeting between the civil society organizations and the heads of delegation of the OAS member states.

The Administrative Tribunal held its LII regular session from May 12 to 18, 2004. The judges on the bench were as follows: Lionel Alain Dupuis, President; Agustín Gordillo, Vice President; and Alma Montenegro de Fletcher.

At that session, the Tribunal took up complaint 276, in which the complainant alleged that the General Secretariat had failed to comply with the deadlines set in Article 112 of the Staff Rules; Complaint 281, in



which the complainant petitioned the Administrative Tribunal seeking to be recognized as a member of the OAS Career Service; and Complaint 282, where the complainant alleged that the competition held to fill a P-5 vacancy was invalid, challenged her 2002-2003 performance evaluation, and asked, *inter alia*, that her contract be recognized as a continuing contract.

This session was the first time that the Tribunal used the videoconferencing system to conduct the oral debate required under Article 39 of its Rules of Procedure. This represented a significant savings over the cost of conducting those proceedings at OAS headquarters.

The Administrative Tribunal also examined the Study Comparing its own Rules of Procedure with those of the Administrative Tribunals of the Inter-American Development Bank, the World Bank, the International Monetary Fund, and the International Labour Organization.

Based on the chart comparing the Rules of Procedure of the Administrative Tribunals mentioned in the preceding paragraph and the observations made by the judges during the LI and LII regular sessions, the Secretariat of the OAS Administrative Tribunal prepared preliminary draft amendments to the Rules of Procedure for the Tribunal to consider at its next session.

The Administrative Tribunal also discussed that part of resolution AG/RES. 2059 (XXXIV-O/04) that concerned the Tribunal's budget for 2005.

On April 22, 2004, the Secretariat of the Tribunal participated in the second working meeting with the Secretaries of the International Monetary Fund, the World Bank, and the Inter-American Development Bank. This meeting underscored the importance of continuing to hold working meetings of this type, which are an opportunity to exchange views on various procedural matters. This time the discussion centered around the idea of joining cases, anonymity for purposes of litigation and the timing of the decision as to whether the party may remain anonymous, the inadmissibility of complaints, the challenge claiming lack of jurisdiction, and the principle of the non-retroactivity of the law, among others.

Finally, pursuant to Article 4, paragraph 3 of the Tribunal's Rules of Procedure, the Secretariat continues to put together Volume IV, which is a compilation of judgments and decisions of the Administrative Tribunal. Expectations are that it will be ready for publication by late 2005. The Secretariat has also been updating the web page and the Tribunal's data bank.

## PAN AMERICAN DEVELOPMENT FOUNDATION

Established in 1962, the Pan American Development Foundation (PADF) is a private, nonprofit, nongovernmental institution that operates under a cooperation agreement concluded with the OAS to support development programs and assistance to victims of natural disasters and humanitarian crises. The OAS was the first multilateral organization to establish a nongovernmental organization, the PADF, as one of its partners.

The Secretary General chairs the Foundation's Board of Directors, which includes 25 leaders from the private sector, from all corners of the Hemisphere. Until June 2004, the President of the Board of Directors was Frank D. Gómez. Ruth Espey-Romero was elected as the Board's new President in July 2004. All the members of the Board of Directors work on a volunteer basis, serve as a support group to the OAS, and make monetary contributions and contributions in kind to the Foundation's programs.

The PADF's mission is to increase opportunities for the most needy in Latin America and the Caribbean, so as to "create a Hemisphere of opportunity for all." This mission is accomplished through innovative alliances with private, public, and nonprofit organizations, alliances that seek to further the OAS' priorities. One of the Foundation's most important objectives is to strengthen civil society in the region and raise donations from businesses, corporations, civic groups, international agencies, and organizations like USAID, the World Bank, and the Inter-American Development Bank, to name just a few. It also handles contributions from governmental institutions.

The period from March 2004 to February 2005 stood out because of the many activities carried out, first under the leadership of Secretary General Gaviria until August 2004, and then for the remaining months under the leadership of Acting Secretary General Einaudi. To respond to the major humanitarian crisis in the Hemisphere, the PADF continued to provide employment, technical training, and other services to thousands of persons displaced by the violence in Colombia and to coca farmers who opted to abandon that illegal crop in that country. In the last five years, PADF programs have benefited over 300,000 Colombians, especially Afro-Colombians. At a gala celebrated in the Hall of the Americas in March 2004, the Foundation awarded the President of Colombia, Dr. Álvaro Uribe Vélez, the "Inter-American Leadership Award." That event raised contributions from private donors for PADF programs in Colombia and elsewhere in the Hemisphere.

The PADF also extended its financing in Haiti for programs in agricultural and rural development, generation of employment, to help victims of natural disasters and rebuild infrastructure, to strengthen community organizations, and to combat illicit trafficking in persons. Other PADF initiatives include encouragement of cooperative ties between nongovernmental organizations along the border between Haiti and the Dominican Republic, as one way to reduce conflict and foster peace. The Foundation also started activities in the city of El Alto, Bolivia, to create jobs and repair community infrastructure. With funding from the *Fondo Productivo Social* (FPS) and the World Bank, the PADF set up a program to provide advisory services to Bolivian municipalities on how to prepare and carry out rural projects.

In 2004, the PADF provided over \$1.3 million in donations of medical and dental equipment and tools for vocational training centers in Colombia, Costa Rica, Uruguay, Venezuela, and elsewhere. These helped community-based organizations expand their services so as to be able to serve low-income beneficiaries who do not have access to basic services. The Foundation continues to make arrangements for even more donations of equipment, including school buses, fire trucks, machinery, and equipment for various municipalities in the region.

Under the leadership of Acting Secretary General Einaudi and the OAS, and to help the Caribbean islands hit by the hurricanes and flooding, the PADF raised over \$1 million for humanitarian relief and reconstruction in Grenada, Jamaica, Haiti, and elsewhere, with the support of the OAS, the Inter-American Committee on Natural Disaster Reduction, the American Chambers of Commerce, and private donors like ChevronTexaco and Citigroup. The PADF used the OAS contributions to arrange for matching donations from the private sector. For every dollar contributed by the OAS, the PADF raised over 10 more dollars to help victims of natural disasters. A donation was also secured from USAID's Office of US Foreign Disaster Assistance (OFDA) to enable greater private sector participation in disaster mitigation and preparedness programs.

The Foundation also continued its efforts to strengthen civil society institutions throughout the region, creating ties with private and governmental donors in order to strengthen democracy and cooperation. It is worth noting here that the PADF raised private donations for NGOs in Brazil, Argentina, Peru, and elsewhere.

It also increased cooperation with Hispanic groups living in the United States, to help them channel their community remittances into development projects, especially in the areas of agriculture and education. To that end, the PADF worked with 30 Latin and Caribbean groups in the United States, especially Salvadorans, Mexicans, and Haitians. In partnership with them, some \$2 million dollars in contributions were raised from those groups and from other donors for projects in their countries.

The PADF will continue to look for new mechanisms and sources of funding to implement projects with NGOs, community groups, municipalities, and private businesses, in support of the OAS and the initiatives of the Summits of the Americas.

## BOARD OF EXTERNAL AUDITORS

Pursuant to General Assembly resolution AG/RES. 123 (III-O/73), adopted on April 14, 1973, and Permanent Council resolution CP/RES. 124 (164/75), of June 10, 1975, the Board of External Auditors is responsible for the external auditing of the General Secretariat's accounts. The Board launched its activities in March 1976, and adopted detailed rules and procedures for discharging its duties and responsibilities in accordance with the relevant decisions of the General Assembly and Permanent Council. The Board is made up of three members elected by the General Assembly.

The Board held its annual meeting from April 4 to 8, 2005, to prepare its report on the external audit of the accounts and financial statements of the OAS for the years ending December 31, 2004, and 2003, in keeping with Article 129 of the General Standards.

On May 4, 2005, the Board will present its observations in the document titled *Report to the Permanent Council of the Organization of American States: Audit of Accounts and Financial Statements, December 31, 2004 and 2003* (OEA/Ser.S JAE/doc.35/05). The report is divided into four sections: (a) comments and recommendations for improving accounting-related procedures and internal controls; (b) financial statements of the General Secretariat of the Organization of American States; (c) financial statements of the Inter-American Agency for Cooperation and Development and the Trust for the Americas; and (d) financial statements of other agencies and entities related to the Organization of American States.

According to the reports issued by Abrams, Foster, Nole & Williams, P.A., a firm of independent auditors, the financial statements corresponding to the audited entities tally with the General Secretariat's books, documents, and vouchers.

The Board met with the Secretary General and informed him of the results of the Audit and its recommendations, so that those findings and recommendations might be brought to the attention of the General Assembly and the Permanent Council. After the synopsis of the financial situation of the Regular Fund, the Specific Funds, and the special contributions to the OAS, the Board examined the initiatives taken by OAS General Secretariat's management to put into practice the recommendations that the Board had made in the previous year's report and new topics of concern to the Board.

The Board underscored the fact that the independent auditors had issued unqualified ("clean") reports—which is the ideal outcome of any audit—with regard to the 2004 financial statements of the following:

- Regular Fund of the OAS and Specific Funds
- Inter-American Agency for Cooperation and Development
- Trust for the Americas
- Leo S. Rowe Pan American Fund
- Rowe Commemorative Fund
- Unit for the Promotion of Democracy
- Retirement and Pension Fund
- Inter-American Defense Board Fund
- Medical Benefits Trust Fund

## **INTER-AMERICAN DEFENSE BOARD**

Established in 1942 to study and recommend measures for the Hemisphere's defense, the Inter-American Defense Board (IADB) is the world's oldest multilateral military organization. It promotes peace and security in the Hemisphere, while also building confidence among the parties through military cooperative relations and by strengthening relations between civilians and the military. The Board promotes cooperative security interests in the Western Hemisphere. It is active in such areas as mine clearing for humanitarian purposes and confidence-building measures that are directly supportive of the goals of the OAS and the Ministers of Defense. It oversees an advanced academic program of studies in security and defense, given at the Inter-American Defense College.

### **Humanitarian Demining**

The IADB continues to coordinate and supervise the humanitarian demining programs for Central America (MARMINCA) and South America (MARMINAS), under the OAS' Program for Comprehensive Action against Antipersonnel Mines (AICMA). Between the two missions, 32 supervisors and international monitors are currently being used, representing the Armed Forces of Brazil, Chile, El Salvador, Guatemala, Honduras, Nicaragua, and Venezuela. MARMINCA finished its mine-clearing work in Honduras in June 2004 and continues to work in five sectors in the northern region of Nicaragua and in the Department of Petén in Guatemala.

The Government of Suriname provided technical assistance and logistical support to the OAS' AICMA Program to clear its last known mine field. In those activities, 14 sappers from the Honduran Army were used, supervised by a Brazilian Army officer detailed to MARMINCA. Surinamese Army personnel were trained in demining operations to prepare them to handle any future needs.

In the case of MARMINAS, courses in humanitarian demining were given in 2004 and in the current year, to over 100 Peruvian and Ecuadorian military, police, and public servants. In late 2004, monitoring of demining on the Ecuadorian side of the border with Peru resumed, specifically in the Cordillera del Cóndor.

By the end of February 2005, the number of mines and explosive devices destroyed in both missions totaled 43,812. The area cleared was almost 2,500,000 square meters in size.

Finally, the IADB is currently reviewing and updating the Humanitarian Demining Operations and Procedures Manual, which is a compendium of international rules and procedures on the subject.

### **Confidence- and Security-Building Measures**

The IADB put together and updated the inventory of confidence- and security-building measures in the Hemisphere, based on the reports presented by the member states in 2003. It also put together an inventory of confidence- and security-building measures in other regions of the world. Both inventories were presented to the Committee on Hemispheric Security and sent to the General Secretariat of the OAS. The hemispheric inventory is now being updated for 2004.

### **Education**

The Inter-American Defense College conducted its course of advanced studies for civilian personnel, military personnel, and security personnel. The program imparts extensive professional and

interdisciplinary instruction in systems of government; international affairs; the structure and functioning of the inter-American system; analysis of threats, concerns, and challenges to hemispheric security; peace-keeping operations; natural disasters; conflict resolution; and crisis management.

It is worth noting that to raise the level of academic excellence even higher, the IADC now offers two master's degree programs: the first is in International Services with the emphasis on security and defense, given in coordination with the American University; the second is in Defense and Security, and is given in coordination with Argentina's Universidad del Salvador.

In accordance with General Assembly resolution AG/RES. 1997 (XXXIV-O/04), "Proliferation of and Illicit Trafficking in Small Arms and Light Weapons," the Hemispheric Seminar on Identification, Collection, Stockpile Management, and Destruction of Small Arms and Light Weapons was planned and then held in Nicaragua in mid-2004, in coordination with the OAS General Secretariat. Also participating were CICAD and the United Nations.

As a result of this academic event, the IADB was also instrumental in preparing the Manual on Best Practices for the Identification, Collection, Management, Security, and Destruction of Stockpiles of Small Arms and Light Weapons, which will soon be delivered to the Committee on Hemispheric Security.

The Inter-American Defense Board also participated in important events such as the Annual Meeting of the Inter-American Committee against Terrorism, the Meeting of Experts on Confidence- and Security-Building Measures, the Sixth Meeting of Ministers of Defense of the Americas, the European Union-Latin American Seminar on Cooperation in the European Context on Security and Justice Issues; and the study trip that the Inter-American Defense College made to Ecuador and Colombia.

### **Visits**

The IADB was honored to receive distinguished visitors during this reporting period, among them the Acting Secretary General of the OAS; the Ambassadors, Permanent Representatives of Argentina, Bolivia, Canada, Grenada, Guatemala, Guyana, Nicaragua, Peru, and Venezuela; and the Ministers of Defense of El Salvador, Honduras, Nicaragua, and Uruguay. It also welcomed visits by a number of institutions: the National War Institute of Ecuador, the Argentine War College, the Colegio de Comando y Estado Mayor of the Honduran Army, Guatemala's Center for National Defense Studies, Ecuador's College of Advanced National Studies, and Peru's Center for Advanced National Studies.

## INTER-AMERICAN COURT OF HUMAN RIGHTS

The Inter-American Court of Human Rights is an autonomous judicial institution of the OAS whose purpose is to apply and interpret the American Convention on Human Rights. The Court has both contentious and advisory jurisdiction. It is made up of seven jurists, elected in a personal capacity by the states parties to the American Convention during sessions of the General Assembly of the Organization of American States.

During this reporting period, the Court was made up of the following judges, in order of precedence: Sergio García Ramírez (Mexico), President; Alirio Abreu Burelli (Venezuela), Vice President; Oliver Jackman (Barbados); Antônio A. Cançado Trindade (Brazil); Cecilia Medina Quiroga (Chile); Manuel E. Ventura Robles (Costa Rica); and Diego García Sayán (Peru). The Secretary of the Court was Pablo Saavedra Alessandri (Chile) and the Deputy Secretary was Emilia Segares Rodríguez (Costa Rica).

### **Contentious cases, provisional measures, and advisory opinions submitted to the Court**

In 2004, the Inter-American Commission on Human Rights filed 12 contentious cases with the Inter-American Court, namely: the *Huilca Tecse* case vs. Peru, the “*Pueblo Bello*” case vs. Colombia, the *Gutiérrez Soler* case vs. Colombia, the *Palamara Iribarne* case vs. Chile, the *García Asto and Ramírez Rojas* case vs. Peru, the *Blanco Romero et al.* case vs. Venezuela, the *Ituango* case vs. Colombia, the *Juárez Cruzat et al.* case vs. Peru, the *Fermín Ramírez* case vs. Guatemala, the *Gómez Palomino* case vs. Peru, the *Raxcacó Reyes* case vs. Guatemala, and the *Ximenes Lopes* case vs. Brazil.

Also during 2004, a total of 13 requests were filed with the Court seeking provisional measures in the following cases: the *Gómez Paquiyauri Brothers* case (Peru), the *Kankuamo Indigenous People’s* case (Colombia), the *Sarayaku Community* case (Ecuador), the case of the “*El Nacional*” and “*Así es la Noticia*” Newspapers (Venezuela), the *Carlos Nieto Palma et al.* case (Venezuela), the *19 Merchants* case (*Sandra Belinda Montero Fuentes et al.*) vs. Colombia, the *Globovisión Television Station* case (Venezuela), the *Plan de Sánchez Massacre* case (*Salvador Jerónimo et al.*) vs. Guatemala, the *Raxcacó et al.* case (Guatemala), the *Boyce and Joseph* case (Barbados), the *Eloísa Barrios et al.* case (Venezuela), the *Mendoza Prison* case (Argentina), and the *Fermín Ramírez* case (Guatemala).

Three requests seeking advisory opinions from the Court were submitted in 2004: OC-19 presented by the State of Venezuela; OC-20, presented by the Inter-American Commission on Human Rights; and OC-21 presented by the State of Costa Rica.

### **Sessions**

During this reporting period, the Court held four sessions, during which the following matters were discussed:

At the LXII Regular Session, held from April 19 to May 7, 2004, the Court issued two judgments: the *Plan de Sánchez Massacre* case vs. Guatemala (merits) and the *Molina Theissen* case vs. Guatemala (Merits). It also issued 4 orders for provisional measures in the following cases: *Pilar Noriega et al.* (previously called the *Miguel Agustín Pro Juárez Human Rights Center et al.* case) in the matter of Mexico; the *Urso Branco Prison* case in the matter of Brazil; *Liliana Ortega et al.*, *Luisiana Ríos et al.*, *Luis Uzcátegui and Marta Colomina and Liliana Velásquez* in the matter of Venezuela, and *Gómez Paquiyauri Brothers* in the matter of Peru. The Court also held seven public hearings in the following cases: *19 Merchants* vs. Colombia, *Alfonso Martín del Campo Dodd* vs. Mexico, *Ricardo Canese* vs.

Paraguay, *Herrera Ulloa vs. Costa Rica*, “*Juvenile Detention Center*” case vs. Paraguay, *Gómez Paquiyauri Brothers vs. Peru*, and *Lori Berenson Mejía vs. Peru*.

At its LXIII Regular Session, held from June 28 to July 10, 2004, the Court issued four judgments, namely: *Herrera Ulloa vs. Costa Rica* (preliminary objections, merits, reparations, and costs), *Molina Theissen vs. Guatemala* (reparations and costs), *19 Merchants vs. Colombia* (merits, reparations, and costs), and *Gómez Paquiyauri Brothers* (merits, reparations, and costs). It also issued five orders for provisional measures in the following cases: *Urso Branco Prison* in the matter of Brazil, *Kankuamo Indigenous People* in the matter of Colombia, *Sarayaku Indigenous Community* in the matter of Ecuador, the case of the “*El Nacional*” and “*Así es la Noticia*” Newspapers in the matter of Venezuela, and *Carlos Nieto et al.* in the matter of Venezuela, *Helen Mack Chang et al.* in the matter of Guatemala, and *Lysias Fleury* in the matter of Haiti. The Court also held three public hearings on the following cases: *De la Cruz Flores vs. Peru*, *Carpio Nicolle et al. vs. Guatemala*, *Tibi vs. Ecuador*, and *Urso Branco Prison* (provisional measures) vs. Brazil.

At its LXIV Regular Session, from August 30 to September 9, 2004, the Court delivered four judgments, namely: the *Ricardo Canese* case vs. Paraguay (merits, reparations, and costs), the “*Juvenile Detention Center*” case vs. Paraguay (preliminary objections, merits, reparations, and costs), the *Alfonso Martín del Campo Dodd* case vs. Mexico (preliminary objections), and the *Tibi* case vs. Ecuador (preliminary objections, merits, reparations, and costs). It also issued five orders for provisional measures in the following cases: *Raxacó et al.* in the matter of Guatemala, *19 Merchants (Sandra Belinda Montero Fuentes et al.)* in the matter of Colombia, the “*Globovisión*” Television Station in the matter of Venezuela, *Luisiana Ríos et al. (Radio Caracas Televisión - RCTV)* in the matter of Venezuela, and the *Plan de Sánchez Massacre (Salvador Jerónimo et al.)* in the matter of Guatemala. The Court also held two public hearings in the following cases: the *Serrano Cruz Sisters* case vs. El Salvador, and the *Moiwana Community* case vs. Suriname.

At the LXV Regular Session, from November 15 to 26, 2004, the Court delivered five judgments in the following cases: *De la Cruz Flores vs. Peru* (merits, reparations, and costs), the *Plan de Sánchez Massacre* case vs. Guatemala (reparations and costs), the case of *Carpio Nicolle et al. vs. Guatemala* (merits, reparations, and costs), the *Serrano Cruz Sisters* case vs. El Salvador (preliminary objections), and the *Lori Berenson Mejía* case vs. Peru (merits, reparations and costs). It also issued six orders for provisional measures in the following cases: the case of the *Jiguamiandó and Curbaradó Communities* in the matter of Colombia, the *Peace Community of San José de Apartadó* case in the matter of Colombia, the *Mendoza Prison* case in the matter of Argentina, the *Eloísa Barrios et al.* case in the matter of Venezuela, the *Acevedo Jaramillo* case in the matter of Peru (dismissal of the provisional measures), and *Boyce and Joseph* case in the matter of Barbados. The Court also held one public hearing in the case of *Caesar vs. Trinidad y Tobago*. Finally, during this session the Court issued 12 decisions on compliance with the judgments delivered in the following cases: *El Caracazo* (Venezuela), *Cantoral Benavides* (Peru), *Garrido and Baigorria* (Argentina), “*Five Pensioners*” (Peru), *Trujillo Oroza* (Bolivia), *Barrios Altos* (Peru), *Juan Humberto Sánchez* (Honduras), *the Constitutional Court* (Peru), *Cesti Hurtado* (Peru), *Las Palmeras* (Colombia), *Castillo Páez* (Peru), and *Bulacio* (Argentina). The Court also issued a decision on fulfillment of provisional measures ordered in the *Blake* case (Guatemala)

At those four sessions, the Court also discussed a variety of issues it had pending and examined the various reports presented by the Commission, the victims or their representatives, and the states involved in cases in which provisional measures had been adopted or in cases in which execution of judgment was still in progress.

Lastly, on August 20 and 21, 2004, members of the Court and of the Commission held a joint meeting in Mexico City, where they analyzed the current and future challenges facing the inter-American system.