

ORGANIZATION OF AMERICAN STATES

INTER-AMERICAN COURT OF HUMAN RIGHTS



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

1997

**GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES**

WASHINGTON, D.C. 20006

1998

c o u r t

I. ORIGIN, STRUCTURE AND JURISDICTION OF THE COURT

A. Establishment of the Court

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

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

B. Organization of the Court

In accordance with the terms of the Statute of the Court (hereinafter "the Statute"), the Court is an autonomous judicial institution which has its seat in San Jose, Costa Rica, and has as its purpose the application and interpretation of the Convention.

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

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

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

If necessary, in order to maintain a quorum of the Court, one or more interim judges may be appointed by the States Parties to the Convention (Article 6(3) of the Statute). "*If a judge is a national of any of the States Parties to a case submitted to the Court, [that judge] shall retain [the] right to hear that case. If one of the judges called upon to hear a case is a national of one of the States Parties to the case, any other State Party to the case may appoint a person to serve on the Court as an ad hoc judge. If among the judges called upon to hear a case, none is a national of the States Parties to the case, each of the latter may appoint an ad hoc judge*" (Article 10(1), 10(2) and 10(3) of the Statute).

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

The judges are at the disposal of the Court and hold as many regular sessions a year as may be necessary for the proper discharge of their functions. They may also meet in special sessions when convened by the President of the Court (hereinafter "the President") or at the request of a majority of the judges. Although the judges are not required to reside at the seat of the Court, the President shall render his services on a permanent basis (Article 16 of the Statute).

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

There is a Permanent Commission of the Court (hereinafter "the Permanent Commission") composed of the President, the Vice President and any other judge whom the President considers convenient, according to the needs of the Court. The Court may also create other commissions for specific matters (Article 6 of the Rules of Procedure).

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

C. Composition of the Court

Until September 12, 1997, the composition of the Court was as follows in order of precedence (Article 13 of the Statute):

Héctor Fix-Zamudio (Mexico), President
Hernán Salgado-Pesantes (Ecuador), Vice President
Alejandro Montiel-Argüello (Nicaragua)
Máximo Pacheco-Gómez (Chile)
Oliver Jackman (Barbados)
Alirio Abreu-Burelli (Venezuela)
Antônio A. Cançado Trindade (Brazil)

After September 12, 1997, and until the end of 1997, the composition of the Court was as follows in order of precedence:

Hernán Salgado-Pesantes (Ecuador), President
Antônio A. Cançado Trindade (Brazil), Vice President
Héctor Fix-Zamudio (Mexico)
Alejandro Montiel-Argüello (Nicaragua)
Máximo Pacheco-Gómez (Chile)
Oliver Jackman (Barbados)
Alirio Abreu-Burelli (Venezuela)

The Secretary of the Court is Manuel E. Ventura-Robles and the Interim Deputy Secretary is Víctor M. Rodríguez-Rescia.

D. Jurisdiction of the Court

The Convention confers contentious and advisory functions on the Court. The first function involves the power to adjudicate disputes relating to charges that a State Party has violated the Convention. The second function involves the power of the Member States to request that the Court interpret the Convention or "*other treaties concerning the protection of human rights in the American States.*" Within their spheres of competence, the organs listed in the Charter of the OAS may in like manner consult the Court.

1. The Contentious Jurisdiction of the Court

The contentious jurisdiction of the Court is spelled out in Article 62 of the Convention, which reads as follows:

1. A State Party may, upon depositing its instrument of ratification or adherence to this Convention, or at any subsequent time, declare that it recognizes as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Court on all matters relating to the interpretation or application of this Convention.

2. Such declaration may be made unconditionally, on the condition of reciprocity, for a specified period, or for specific cases. It shall be presented to the Secretary General of the

Organization, who shall transmit copies thereof to the other members states of the Organization and to the Secretary of the Court.

3. The jurisdiction of the Court shall comprise all cases concerning the interpretation and application of the provisions of this Convention that are submitted to it, provided that the States Parties to the case recognize or have recognized such jurisdiction, whether by special declaration pursuant to the preceding paragraphs, or by a special agreement.

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

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

Article 63(1) of the Convention contains the following provision relating to the judgments that the Court may render:

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

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

Article 63(2) of the Convention provides that:

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

The judgment rendered by the Court in any dispute is "final and not subject to appeal." Nevertheless, "[i]n case of disagreement as to the meaning or scope of the judgment, the Court shall interpret it at the request of any of the parties, provided the request is made within ninety days from the date of notification of the judgment" (Article 67 of the Convention). The States Parties "undertake to comply with the judgment of the Court in any case to which they are parties" (Article 68(1) of the Convention).

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

2. The Advisory Jurisdiction of the Court

Article 64 of the Convention reads as follows:

1. The member states of the Organization may consult the Court regarding the interpretation of this Convention or of other treaties concerning the protection of human rights in the American states. Within their spheres of competence, the organs listed in Chapter X of the Charter of the Organization of American States, as amended by the Protocol of Buenos Aires, may in like manner consult the Court.

2. The Court, at the request of a member state of the Organization, may provide that state with opinions regarding the compatibility of any of its domestic laws with the aforesaid international instruments.

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

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

3. Recognition of the Contentious Jurisdiction of the Court

Seventeen States Parties have recognized the contentious jurisdiction of the Court. They are Costa Rica, Peru, Venezuela, Honduras, Ecuador, Argentina, Uruguay, Colombia, Guatemala, Suriname, Panama, Chile, Nicaragua, Trinidad and Tobago, Paraguay, Bolivia and El Salvador.

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

E. Budget

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

F. Relations with Other Similar Regional Organizations

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

II. ACTIVITIES OF THE COURT

A. XXI Special Session of the Court

On January 22 to 25, and 29, 1997, the Court held its XXI Special Session at its seat in San Jose, Costa Rica. The composition of the Court was as follows: Héctor Fix-Zamudio (Mexico), President; Hernán Salgado-Pesantes (Ecuador), Vice President; Rafael Nieto-Navia (Colombia); Alejandro Montiel-Argüello (Nicaragua) and Máximo Pacheco-Gómez (Chile). Also present were Manuel E. Ventura-Robles, Secretary, and Víctor M. Rodríguez-Rescía, Interim Deputy Secretary.

The following matter was considered during this session:

Genie Lacayo Case

On January 29, 1997, the Court passed Judgment on the merits in the Genie Lacayo Case, in which it rejected the preliminary objection of failure to exhaust all domestic remedies, which was related to the merits of the case. In that Judgment the Court decided that the State of Nicaragua violated article 8(1) of the Convention, in relation with article 1(1) of the same, to the detriment of Mr. Raymond Genie Peñalba but did not violate articles 2, 24, 25 and 51(2) of the Convention. It also decided that the State of Nicaragua must compensate Mr. Raymond Genie Peñalba with US\$ 20,000 (twenty thousand dollars of the United States of America) or its equivalent in the Nicaraguan currency on the date of payment, to be paid by the State of Nicaragua within six months of the date of the Judgment and without tax deductions. This payment should be made in accordance with the conditions and in the manner mentioned in paragraph 95 of the Judgment (**Appendix I**). Judge Pacheco-Gómez informed the Court of his Dissenting Opinion.

B. XXXV Regular Session of the Court

The Court held its XXXV Regular Session from January 27 to February 7, 1997, at its seat in San Jose, Costa Rica. The composition of the Court was as follows: Héctor Fix-Zamudio (Mexico), President; Hernán Salgado-Pesantes (Ecuador), Vice President; Alejandro Montiel-Argüello (Nicaragua); Máximo Pacheco-Gómez (Chile); Oliver Jackman (Barbados); Alirio Abreu-Burelli (Venezuela) and Antônio A. Cançado Trindade (Brazil). The *ad hoc* Judges Rafael Nieto-Navia, designated by Colombia for the Caballero Delgado and Santana Case; and Julio Barberis, designated by Argentina for the Garrido and Baigorria Case, participated in the Session. Manuel E. Ventura-Robles, Secretary, and Víctor M. Rodríguez-Rescia, Interim Deputy Secretary, were also present.

The following matters were considered during this session:

1. Caballero Delgado and Santana Case

On January 29, 1997, the Court rendered Judgment on reparations and legal costs in the Caballero Delgado and Santana Case (**Appendix II**), in which it decided that the State of Colombia must pay US\$ 89,500 (eighty-nine thousand and five-hundred dollars of the United States of America), or its equivalent in the Colombian currency, before July 31, 1997, as reparations for the next-of-kin of Isidro Caballero-Delgado and María del Carmen Santana. The State of Colombia must pay US\$ 2,000 (two-thousand dollars of the United States of America) directly to Ms. María Nodelia Parra-Rodríguez as compensation for costs incurred before the Colombian authorities in this Case. In addition, the Court decided that it would not grant some measures of non-pecuniary compensation and that the State of Colombia is obligated to continue to attempt to localize the remains of the victims and to hand them over to their families. The Court will supervise the compliance with this decision and will only decide later whether the Case should be closed. Judge Antônio A. Cançado Trindade informed the Court of his Dissenting Opinion in what refers to the non-consideration by the Court of the projected modifications in the Habeas Corpus Law and Judge Montiel-Argüello of his Concurring Opinion.

2. Provisional Measures in the Caballero Delgado and Santana Case.

By Order of January 31, 1997 (**Appendix IV**), the Court closed the provisional measures adopted in the Caballero Delgado and Santana Case because the State of Colombia had taken measures which had fulfilled the purpose of the Order of the Court of December 7, 1994, and had met its objective. Furthermore, the Case was closed by Judgment of January 29, 1996.

3. Garrido and Baigorria Case

The Court examined a proposal for a friendly settlement concerning reparations in this Case. However, on January 31, 1997, it rendered an Order (**Appendix V**) in which it decided that the proposal did not meet the necessary requirements pursuant to points 3 and 4 of the February 2, 1996 Judgment to result in a fair and just settlement. Consequently, the Court opened the reparation proceedings. Judge Montiel-Argüello informed the Court of his Dissenting Opinion.

4. Closure of the Aloeboetoe *et al.* Case

In its Order of February 5, 1997, (**Appendix VII**) the Court decided that the State of Suriname complied satisfactorily with the Judgment of September 10, 1993, in the Aloeboetoe *et al.* Case; as a result, the Case was closed. As the decision established some obligations of a permanent character, the Court reserved the faculty to reopen the Case, if circumstances so warrant.

5. Bámaca Velásquez Case

The Court took into consideration the answer to the application presented by the State of Guatemala in the Bámaca Velásquez Case and the explanation to said answer, which was presented later. On February 5, 1997, the Court decided by Order (**Appendix VIII**) that, taking into account all the evidence presented before it, it could not accept the facts presented in the brief as conclusive; therefore, it decided to continue with the proceedings.

6. Loayza Tamayo Case

On February 5, 1997, the Court held a public hearing at its seat to hear the testimonies of the witnesses Iván Bazán and Víctor Alvarez and the expert witnesses Julio Maier, Carlos Arslanian and Héctor Faúndez, presented by the Inter-American Commission in the Loayza Tamayo Case. The Court also listened to the oral arguments presented by both the Inter-American Commission and the State of Peru.

7. Provisional Measures in the Alemán Lacayo Case

On February 6, 1997, the Court adopted an Order (**Appendix IX**) in which it decided that the provisional measures in the Alemán Lacayo Case should be closed. In taking this decision, the Court took into account that Mr. Arnoldo Alemán-Lacayo was elected and took power as President of Nicaragua. These happenings ceased the former situation of extreme gravity and urgency, which had been the reason for adopting the provisional measures in the first place.

8. Castillo Páez Case

On February 6 and 7, 1997, at its seat, the Court held a public hearing to hear the testimonies of the witnesses María Elena Castro-Osorio, Joe Roberto Ruiz-Huapaya, Cronwell Pierre Castillo-Castillo, Elba Minaya-Calle, Augusto Zúñiga-Paz and the expert witness Enrique Bernalles-Ballesteros, presented by the Inter-American Commission in the Castillo Páez Case. The Court also listened to the pleadings presented by both the Inter-American Commission and the State of Peru.

9. Status of Compliance With the Provisional Measures

The Court studied the various reports concerning provisional measures taken by the States, and the observations presented to these by the Inter-American Commission.

10. Cooperation Agreement With the Supreme Court of Justice in Costa Rica

During this Regular Session, the Court signed in solemn act an agreement of cooperation with the Supreme Court of Justice of Costa Rica in the areas of information technology and documentation. The entire Inter-American Court and the following Judges of the Supreme Court of Justice of Costa Rica were present: Edgar Cervantes-Villalta, President; Rodrigo Montenegro-Trejos, Vice President; Orlando Aguirre-Gómez, President of the Second Chamber; Luis Paulino Mora-Mora, President of the Constitutional Chamber and Carlos Arguedas-Ramírez, Member of the Constitutional Chamber. Also present were the Secretaries, Directors of projects and staff of both Courts.

The cooperation agreement stipulates a technical collaboration in the areas of information technology and institutional development. Both institutions agreed to provide each other with reciprocal access to each others data bases and jurisprudential information, to produce joint publications and to cooperate in academic activities. The duration of the agreement's will be of four years, starting with the date of signature, and can be prolonged for two years at a time up to a maximum of ten years, after which it must be renegotiated and accepted by both parties.

11. Other Matters

In addition to considering administrative and budgetary matters, the Court revised and approved the Project of its 1996 Annual Report which would be presented to the General Assembly of the OAS at its XXVII Regular Session, held in Lima, Peru, on May 30 until June 4, 1997.

C. Presentation of the Annual Report of the Court to the Committee on Juridical and Political Matters of the Permanent Council of the OAS and Presentation of the Draft Budget of the Court to the Committee on Administrative and Budgetary Matters

From March 31 to April 9, 1997, Judges Héctor Fix-Zamudio, President, and Hernán Salgado-Pesantes, Vice President, accompanied by the Secretary of the Court, Manuel E. Ventura-Robles, visited the seat of the OAS in Washington, D.C., in order to present the Court's 1996 Annual Report to the Committee on Juridical and Political Matters of the Permanent Council of the OAS and the Court's 1998 draft budget to the Committee on Administrative and Budgetary Matters.

The Committee on Juridical and Political Matters presented its recommendations to the Annual Report of the Court. Those recommendations were endorsed by the Permanent Council of the OAS and approved by the General Assembly in the terms which will be indicated below (*infra* E.1).

During this visit to Washington, D.C., the Judges of the Inter-American Court were received by the Committee on Juridical and Political Matters, to which the President of the Court explained the projected budget for the year 1998. He also answered a number of questions about the proposed budget, which were raised by the representatives of the Member States, who considered that the visit had been very important for their full understanding of the functioning and needs of the Tribunal.

D. XXXVI Regular Session of the Court

On April 12 to 19, 1997, the Court held its XXXVI Regular Session at its seat in San Jose, Costa Rica. The composition of the Court was as follows: Héctor Fix-Zamudio (Mexico), President; Hernán Salgado-Pesantes (Ecuador), Vice President; Alejandro Montiel-Argüello (Nicaragua); Máximo Pacheco-Gómez (Chile); Oliver Jackman (Barbados); Alirio Abreu-Burelli (Venezuela); and Antônio A. Cançado Trindade (Brazil). Alfonso Novales-Aguirre, Judge *ad hoc*, designated by Guatemala for the Blake Case, participated in the Session. Manuel E. Ventura-Robles, Secretary, and Víctor M. Rodríguez-Rescia, Interim Deputy Secretary, were also present.

The following matters were considered during this Session:

1. Request for Advisory Opinion OC-15

The Court considered Chile's petition for the withdrawal of the request of advisory opinion OC-15, which dealt with the reports of the Inter-American Commission under articles 50 and 51 of the American Convention. By Order of April 14, 1997 (**Appendix XII**), the Court decided to reject this petition and to continue with the proceedings. Judge Pacheco-Gómez informed the Court of his Dissenting Opinion.

2. Bámaca Velásquez Case

The Court considered Guatemala's brief for the Bámaca Velásquez Case on April 16, 1997, in which it withdrew the preliminary objection presented in this Case. On that same day, the Court issued an Order in which it accepted the withdrawal of said preliminary objection (**Appendix XIV**).

3. El Amparo Case

The Court considered the petition presented by the relatives of the victims in the El Amparo Case, which was presented on their behalf by the Inter-American Commission on Human Rights. The petition was presented in order to obtain an "interpretation" of the Judgment on reparations of September 14, 1996. With respect to this Case, the Court ruled by Order of April 16, 1997 (**Appendix XV**), that said Judgment was strictly based on the facts presented in this Case. Judge Antônio A. Cançado Trindade informed the Court of his Dissenting Opinion and Judge Montiel-Argüello informed it of his Concurring Opinion.

4. Neira Alegría *et al.* Case

The President of the Court considered Peru's note of February 18, 1997, and presented on March 4, 1997 (**Appendix X**) which requested the reconsideration of the Order of February 11, 1997, in which the President

of the Court rejected an extemporaneous petition to interpret the Judgment on reparations in the Neira Alegría *et al.* Case of September 19, 1996. The President, by Order of April 16, 1997 (**Appendix XVI**), dismissed the request, as it was inadmissible.

5. Villagrán Morales *et al.* Case

The Court took into account the brief on preliminary objections presented by Guatemala on April 2, 1997, in the Villagrán Morales *et al.* Case. Guatemala, *inter alia*, requested the Court to postpone the deadline for the submission of the answer to the application until after the preliminary objection had been resolved. On April 16, 1997 (**Appendix XVII**), the Court declared the petition inadmissible and that the proceedings should continue.

However, on April 18, 1997, the State of Guatemala petitioned the Court not to accept the presentation of its brief on preliminary objections, which had been presented as a result of an error of fact. That same day, by Order (**Appendix XXIII**), the President admitted that petition.

6. Provisional Measures in the Caballero Delgado and Santana Case

On April 16, 1997, (**Appendix XVIII**) the Court decided to adopt provisional measures in the Caballero Delgado and Santana Case, which was in the phase of execution of the Judgment on reparations. The provisional measures were adopted because both Colombia and the Commission requested a reconsideration of the Order of the Court of January 31, 1997, which had lifted the provisional measures. The new provisional measures benefit Gonzalo Arias-Alturo, Javier Páez, Guillermo Guerrero-Zambrano, Elida González-Vergel and María Nodelia Parra, all of whom testified before the Court on the merits of the Case.

7. Provisional Measures in the Colotenango Case

On April 16, 1997, (**Appendix XIX**) the Court decided to maintain the provisional measures adopted in the Colotenango Case, a proceeding before the Inter-American Commission, due to the reports presented by the State of Guatemala and the observations of the Inter-American Commission, which show that the circumstances of extreme gravity and urgency continue.

8. Provisional Measures in the Giraldo Cardona Case

On April 12, 1997, the Court held a public hearing at its seat on the provisional measures adopted in the Giraldo Cardona Case, a proceeding before the Inter-American Commission. During the public hearing, the State of Colombia informed the Court about the measures it has adopted to comply with the Order of the President of October 28, 1996, ratified by the Court on February 5, 1997. Later, the Court adopted an Order on April 16, 1997 (**Appendix XX**), in which it took into account the declarations of the Inter-American Commission and the State of Colombia and confirmed the Order of February 5, 1997.

9. Blake Case

On April 16, 1997, the State of Guatemala accepted the international responsibility for the delay in the application of justice in this Case. Nevertheless, by Order of April 17, 1997 (**Appendix XXI**), the Court considered that this acknowledgment did not address all of the facts that motivated the Case and therefore decided to continue with the oral proceeding. Consequently, on April 17, 1997, the Court listened to the testimonies of Richard R. Blake Jr., Samuel Blake, Justo Victoriano Martínez and Ricardo Roberto, presented by the Inter-American Commission on Human Rights. The Court also listened to the closing oral arguments, which were presented by the Inter-American Commission and by the State of Guatemala.

10. Provisional Measures in the Blake Case

On April 18, 1997, the Court issued an Order (**Appendix XXII**) on the provisional measures adopted in the Blake Case, a proceeding before the Court. It was decided that the State had taken effective measures to assure the protection of Mr. Justo Victoriano Martínez-Morales and his family in their home; however, the Court required the State of Guatemala to extend those measures of protection beyond their home area.

11. Suárez Rosero Case

On April 19, 1997, the Court held a public hearing at its seat to listen to the testimonies of Carlos Ramadán, Margarita Ramadán de Suárez, Carmen Aguirre and Rafael Iván Suárez-Rosero and the opinion of the expert witness Ernesto Albán-Gómez, all presented by the Inter-American Commission in relation to the Suárez Rosero Case, pending before the Court. In addition, the Court listened to the closing oral arguments, presented both by the Inter-American Commission and the State of Ecuador.

12. Proceedings of Cases and Fulfillment of Provisional Measures

The Court studied various procedural proceedings in the contentious Cases which were pending before it, as well as the various reports concerning provisional measures taken by the States, and the observations presented with respect to these by the Inter-American Commission.

E. XXVII Regular Session of the General Assembly of the OAS

At the XXVII Regular Session of the General Assembly of the OAS, which took place in Lima, Peru, from May 30 to June 4, 1997, the Court was represented by its President, Judge Héctor Fix-Zamudio, and its Vice President, Judge Hernán Salgado-Pesantes. The Secretary of the Court, Manuel E. Ventura-Robles, also attended.

1. 1996 Annual Report of the Court

The General Assembly approved the 1996 Annual Report of the activities of the Court, and the General Assembly adopted through a resolution the following:

1. To note with satisfaction the work being carried out by the Inter-American Court of Human Rights.
2. To support an appropriate level of financing for the Inter-American Court of Human Rights, within the resources available in the Organization, so that it may continue fulfilling the important functions entrusted to it by the American Convention on Human Rights.
3. To again thank the European Union for its contribution, which has enabled the Court to execute the third stage of the project titled "Support for the Inter-American Court of Human Rights."
4. To urge those member states of the OAS that have not yet done so to consider ratifying or acceding to the American Convention on Human Rights, "Pact of San Jose, Costa Rica", and to consider accepting the compulsory jurisdiction of the Inter-American Court of Human Rights.
5. To receive and transmit to the Inter-American Court of Human Rights the observations and recommendations of the Permanent Council of the Organization on the annual report.
6. To express its appreciation to, and congratulate, Dr. Héctor Fix-Zamudio, President of the Inter-American Court of Human Rights, on his upcoming retirement after 12 years of uninterrupted service during which he did brilliant and extraordinary work in aid of the cause of human rights in the Hemisphere.

2. Approval of the 1998 Budget of the Court

The General Assembly approved a ten percent increase in the budget of the Court for the year 1998.

3. Election of Judges of the Court

During this session of the General Assembly, elections were held for the four posts of judges that would be vacant at the end of the year. Two Judges were reelected: Hernán Salgado-Pesantes, Vice President (Ecuador) and Máximo Pacheco-Gómez (Chile). The newly elected Judges are Sergio García-Ramírez (Mexico) and Carlos Vicente de Roux-Rengifo (Colombia). All elected judges will serve a term starting January 1, 1998, until December 31, 2004.

F. Project "Assistance to the Inter-American Court of Human Rights" with the European Union

On June 13, 1997, the President of the Court, Judge Héctor Fix-Zamudio, and the Head of the European Delegation, Ambassador Dieter König, signed the contract for the third phase of the project "Assistance to the Inter-American Court of Human Rights" in San Jose, Costa Rica, for an amount of ECU300.000 (US\$ 336.000). The general objective of the project is to develop the necessary activities to strengthen and modernize the Inter-American system for the protection of human rights through the work plans of the Inter-American Court. The project, which started in 1994, has successfully completed two phases, which consisted mainly of publishing the jurisprudence and relevant documents of the Court by automating the publishing system and by improving the library.

Through the assistance of the European Union, it has been possible to solve the problem of the delay in the publication of ten Advisory Opinions (Series A), twelve Judgments (Series C) and Pleadings, Oral Arguments and Documents in ten contentious proceedings (Series D) and two Advisory Opinions (Series B), and a compendium of Provisional Measures (Series E - No. 1). The continuity in this field is a permanent task and a regulatory obligation. On the other hand, the systematic dissemination of the jurisprudence - to which the European Union's assistance contributed - should be kept up and complemented with publications of a "promotional" nature (brochures, manuals, catalogues, compendia, etc.). The latter will help in an important way to disseminate knowledge over the Inter-American system, international legal instruments, the functioning of the Court, the available publications and other material of interest to universities, centers of study and research, libraries, lawyers, students and the public in general.

Thanks to the first and second phases of the project, the Library of the Court has the capacity to establish an electronic information center for Human Rights, under the auspices of the European Union, which would allow the Court to offer the most ample coverage of information on Human Rights and related topics of obligatory nature to the user. All the judgments of the Court, advisory opinions and the other series of publications will constitute part of the common information of that Center of Information. The Court will use an electronic publication format of universal language (HTML) accessible to any type of computer and through the INTERNET.

The third phase was divided into the two components: Publications and Library. The Publications component was proposed to consolidate the system of dissemination of information with an editorial focus, including promotion, production, distribution, and administration of publications of the Court, and thereby complying with the Court's Rules of Procedure, by developing the area of promotion and complementing the hardware of graphic production and other office equipment.

It is projected in this third phase to edit and print 27 publications of contentious Cases and advisory opinions of great interest, not only for the States of the Inter-American system, but also for university professors, students, researchers and the general public. The Court also plans to reprint the following: its first commemorative book which has been out of print for the last five years due to its excellent reception; its Memory of Installation; a reprint of the compendium of provisional measures which includes updates; and a book on Systematization of the Contentious Jurisprudence of the Court. This includes four additional publications, a total of 31 for the third phase of the project. The details of the corresponding publications to the series is as follows:

1. With respect to Series A (Advisory Opinions) the following will be reprinted:

OC-2 and
OC-13.

2. With respect to Series B (Pleadings, Oral Arguments and Documents), it is planned to make electronic publications of the following:

In the matter of Viviana Gallardo *et al.* (reprint)
OC-4 (reprint)
OC-7
OC-8

OC-9
OC-10.

3. With respect to Series C (Contentious Cases, Orders and Judgments), the following documents are projected:

- No. 23 Paniagua *et al.* Case - Preliminary Objections
- No. 24 Castillo Paéz Case - Preliminary Objections
- No. 25 Loayza Tamayo Case - Preliminary Objections
- No. 26 Garrido and Baigorria Case - Merits
- No. 27 Blake Case - Preliminary Exceptions
- No. 28 El Amparo Case - Reparations
- No. 29 Neira Alegría *et al.* Case - Reparations
- No. 30 Genie Lacayo Case - Merits
- No. 31 Caballero Delgado and Santana Case - Reparations
- No. 32 Villagrán Morales *et al.* Case - Preliminary Objections
- No. 33 Loayza Tamayo Case - Merits
- No. 34 Castillo Paéz Case - Merits, and
- No. 35 Suárez Rosero Case - Merits.

4. For the Series D (Pleadings, Oral Arguments and Documents of Contentious Cases), the following Cases will be published electronically:

- No. 11 Aloeboetoe *et al.* Case - Merits
- No. 12 Gangaram Panday Case - Preliminary Objections
- No. 13 Neira Alegría *et al.* Case - Preliminary Objections
- No. 14 Cayara Case - Preliminary Objections
- No. 15 Aloeboetoe *et al.* Case - Reparations, and
- No. 16 Gangaram Panday Case - Merits.

The following table is a summary to illustrate the number of publications by category, expected to be published by the completion of the third phase of the project of assistance to the Court:

SERIES	PROMOTIONAL MATERIAL	OTHER PUBLICATIONS
Series A : 12 Series B : 8 Series C : 25 Series D : 20 Series E : 1	Brochure Catalogue of Publications	<i>Amicorum Liber</i> (Judge Héctor Fix-Zamudio) Commemorative Book Basic Documents Book of Jurisprudence (I and II) Reprints: First Commemorative Book Proceedings of the Installation of ICHR Compendium of Provisional Measures

The primary objective of the assistance to the Library is to continue with the tasks already initiated in previous phases of the project. In effect, it seeks to strengthen the planning and design of information services through the following:

- to develop and strengthen the data bases, based on periodic publications;
- to alleviate the inconsistencies in the technical processes of the bibliography;
- to use data bases and correct them;
- to acquire bibliography materials (books and periodic publications);
- to avail national and international users of the existing data bases;
- to have access to national and international networks of information via telecommunications or electronic media;

- to carry out a general inventory of the bibliography against the data bases; and to establish a Center of Electronic Information on Human Rights.

G. Publication of the Compilation "Basic Documents Pertaining to Human Rights in the Inter-American System"

In June 1997, the Secretariat of the Court presented the Spanish version of the compilation "Basic Documents Pertaining to Human Rights in the Inter-American System" which was published with financial resources provided by the second phase of the project "Assistance to the Inter-American Court of Human Rights," which is carried out under the auspices of the European Union.

The compilation includes an introduction on the Organization of American States and the Inter-American system for protection of human rights, as well as the text of its main and official instruments: the American Declaration of the Rights and Duties of Man; American Convention on Human Rights (Pact of San Jose, Costa Rica); Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador); Additional Protocol to Abolish the Death Penalty; Inter-American Convention to Prevent and Punish Torture; Inter-American Convention on Forced Disappearance of Persons; Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women. The compilation also includes the Statute and Rules of Procedure for the two organs of the Inter-American system, namely the Commission and the Inter-American Court of Human Rights, as well as a complaint form to be utilized before the Inter-American Commission.

H. Agreement with the International Institute of Human Rights

On July 8, 1997, Judge Antônio A. Cançado Trindade signed on behalf of the Court a cooperation agreement in the academic area with the International Institute of Human Rights in Strasbourg, France.

The purpose of the cooperation agreement is to collaborate in the academic and research areas. Both institutions agreed to exchange their publications and to collaborate in the research in which they are engaged. In addition, the International Institute of Human Rights agreed to sponsor an annual scholarship so that one staff member of the Secretariat of the Court can participate and work in the annual study sessions of the Institute. The agreement came into force on the day of its signature and has an indefinite duration.

I. Visit of Representatives of the Danish Centre of Human Rights

On June 23 to 27, 1997, Mr. Morten Kjørum, Director, and Ms. Birgit Lindsnæs, Deputy Director of the Danish Centre for Human Rights, visited San Jose, Costa Rica, with the purpose of strengthening the institutional ties between the Danish Centre and the Court, as well as obtaining information and establishing contacts with other institutions working in the area of human rights in Latin America. The Secretariat of the Court proposed an agenda to fulfill said objectives. As a result, Mr. Kjørum and Ms. Lindsnæs visited the Arias Foundation for Peace and Human Development, the United Nations High Commissioner for Refugees, the Spanish Agency of Bilateral Aid, the United Nations Latin American Institute for the Prevention of Crime and the Treatment of the Offender, the University for Peace, the Ombudswoman in Costa Rica, the Center for Justice and International Law, the Delegation of the European Union, and the Inter-American Institute of Human Rights.

The cooperation offered by the Danish Centre consists of the placement of a Legal Officer at the Secretariat of the Court. Starting October 8, 1997, Ms. Karin-Annabella Revuelta-Reinfeld, a lawyer of Spanish and German citizenships, started working at the Court.

J. XXXVII Regular Session of the Court

On September 6 to 24, 1997, the Court held its XXXVII Regular Session at its seat in San Jose, Costa Rica. At the beginning of the Session, the composition of the Court was as follows: Héctor Fix-Zamudio (Mexico), President; Hernán Salgado-Pesantes (Ecuador), Vice President; Alejandro Montiel-Argüello (Nicaragua);

Máximo Pacheco-Gómez (Chile); Oliver Jackman (Barbados); Alirio Abreu-Burelli (Venezuela) and Antônio A. Cançado Trindade (Brazil). Dr. Edgar Larraondo-Salguero, designated by Guatemala as Judge *ad hoc* for the Paniagua Morales *et al.* Case, participated. Manuel E. Ventura-Robles, Secretary, and Víctor M. Rodríguez-Rescía, Interim Deputy Secretary, were also present.

The following matters were considered during this Session:

1. Provisional Measures in the Cesti Hurtado Case

On September 8, 1997, the Court held a public hearing in which it listened to the submissions of the State of Peru and the Inter-American Commission with respect to the provisional measures requested by the latter in the Case of Mr. Gustavo Cesti-Hurtado, which was pending before the Commission. On July 29, 1997, the President of the Court decided to request the State of Peru to adopt without delay all necessary measures to ensure the physical, psychological and moral integrity of Mr. Cesti-Hurtado. On September 11, 1997, the Court issued an Order ratifying the Order of its President and required Peru to maintain the necessary measures in order to ensure the physical, psychological and moral integrity of Mr. Cesti-Hurtado (**Appendix XXVII**).

2. Villagrán Morales *et al.* Case

On September 11, 1997, the Court emitted a Judgment on the preliminary objections to the jurisdiction of the Court interposed by Guatemala. In its Judgment, the Court dismissed said preliminary objections and decided to continue with the proceedings (**Appendix XXVIII**).

3. Election of the President and the Vice President

On September 12, 1997, the Court elected its President and its Vice President for the period of 1997 until 1999. The President up to that moment, Judge Héctor Fix-Zamudio, finished his second mandate as judge of the Court in December 1997, after having served for twelve uninterrupted years before the Court. The General Assembly of the OAS expressed acknowledgments and congratulations for Dr. Fix-Zamudio's unique and brilliant work, benefiting the cause of human rights in the hemisphere (*supra* E. 1. 6).

The new President of the Court is Judge Hernán Salgado-Pesantes, of Ecuadorian nationality, who was formerly the Vice President of the Court. The new Vice President of the Court is Judge Antônio A. Cançado Trindade, of Brazilian nationality.

4. Genie Lacayo Case

The Court studied an application for revision of the Judgment on the merits of the Genie Lacayo Case. The Commission presented the application on behalf of Mr. Raymond Genie-Peñalba and the Permanent Commission of Human Rights of Nicaragua. Although the application for revision is not foreseen in the American Convention, the Statute or Rules of Procedure, the Court examined the brief of the Commission because it considered that in certain cases it is appropriate to explain a Judgment, as this contributes to the transparency of the Court's decisions. However, after having examined the application, the Court declared it inadmissible on September 13, 1997 (**Appendix XXX**). Judge Antônio A. Cançado Trindade informed the Court of his Dissenting Opinion.

5. Loayza Tamayo Case

On September 17, 1997, the Court passed Judgment on the merits of the Loayza Tamayo Case (**Appendix XXXI**). It decided unanimously that the State of Peru violated the personal liberty of Ms. María Elena Loayza-Tamayo (Article 7), in relation to Articles 25 and 1(1); her right to humane treatment (Article 5) in relation to Article 1(1); and, the right to a fair trial (Articles 8(1) and 8(2)) in relation to Articles 25 and 1(1), all of those of the American Convention. In addition, by six votes to one, the Court decided that the State of Peru violated Ms. Loayza-Tamayo's judicial guarantees (Article 8(4)) in relation to Article 1(1) of the same, and ordered that

she be released within a reasonable time, that Peru pay fair compensation to her and her relatives and reimburse the costs that had been incurred during the proceedings before the Peruvian authorities. Consequently, the corresponding proceedings were opened. Judge Montiel-Argüello informed the Court of his Dissenting Opinion, while Judges Cançado Trindade and Jackman informed it of their Joint Concurring Opinion.

6. Provisional Measures in the Colotenango Case

On September 19, 1997, the Court ratified the Order of its President of May 31, 1997, and required the State of Guatemala to expand its adopted provisional measures in order to assure the following persons of their rights to life and humane treatment: Andrés Ramos-Godínez, Rafael Vásquez-Simón, Juan Mendoza-Sánchez, Julia Gabriel-Simón, Miguel Morales-Mendoza, Lucía Quila-Colo and Fermina López-Castro (**Appendix XXXII**). The Court adopted this decision because the Inter-American Commission requested an amplification of the provisional measures in this Case so that they would protect all the persons who have been identified as witnesses in the internal judicial proceedings regarding the murder of Juan Chanay-Pablo in Guatemala. One of the protected persons had been the victim of an attempted homicide.

7. Provisional Measures in the Serech and Saquic Case

On September 19, 1997, the Court decided to close and declare as concluded the provisional measures that were adopted by means of its Order of June 28, 1996, in the Case of Serech and Saquic (**Appendix XXXIII**). The Commission had previously informed the Court that the situation of extreme gravity and urgency which justified the provisional measures did not exist anymore; therefore, there was no reason to maintain them.

8. Visit of the General Inspector of the OAS

On September 19, 1997, upon the request of the Court, the General Inspector of the OAS, Dr. Guillermo Belt, visited the seat of the Tribunal in San Jose, Costa Rica. The General Inspector met with the Tribunal and its Secretaries. The meeting dealt with issues related to the administrative independence of the Secretariat of the Court, which is being negotiated with the General Secretary of the OAS.

9. Paniagua Morales *et al.* Case

On September 22 to 24, 1997, the Court held a public hearing and listened to the testimonies of the following witnesses: María Idelfonsa Morales de Paniagua; Blanca Lidia Zamora de Paniagua; Alberto Antonio Paniagua; María Elizabeth Chinchilla; Raquel de Jesús Solórzano; Oscar Humberto Vásquez; Jean-Marie Simon; Julio Enrique Caballeros-Seigne; Carlos Odilio Estrada-Gil and Felicito Oliva-Arias; and the reports of the expert witnesses: Robert Bux, Ken Anderson and Olga Molina, all of them presented by the Inter-American Commission on Human Rights. The Court also listened to the reports of the expert witnesses: Napoleón Gutiérrez Vargas, Jose Francisco de Mata-Vela, Eduardo Mayora-Alvarado and Carlos Enrique Luna-Villacorta, all of whom were presented by the State of Guatemala.

In addition, during this Session, the Court issued various Orders of particular relevance related to the evidentiary aspects of this Case: on September 23, 1997, it decided to receive the opinions of two expert witnesses under article 49(2) of its Rules of Procedure (**Appendix XXXIV**); and the following day, under article 43 of said Rules of Procedure, the Court transmitted to the Inter-American Commission some documents presented by the State of Guatemala as evidence in the Case, while rejecting others (**Appendix XXXV**).

10. Proceedings of Cases and Fulfillment of Provisional Measures

The Court studied various procedural proceedings in the contentious Cases before it, as well as the various reports concerning provisional measures taken by the States, and the observations presented to these by the Inter-American Commission.

K. XXXVIII Regular Session of the Court

From October 31 to November 15, 1997, the Court held its XXXVIII Regular Session at its seat in San Jose, Costa Rica. The composition of the Court was as follows: Hernán Salgado-Pesantes (Ecuador), President; Antônio A. Cançado Trindade (Brazil), Vice President; Héctor Fix-Zamudio (Mexico); Alejandro Montiel-Argüello (Nicaragua); Máximo Pacheco-Gómez (Chile); Oliver Jackman (Barbados) and Alirio Abreu-Burelli (Venezuela). Dr. Edgar E. Larraondo-Salguero, designated by the State of Guatemala as Judge *ad hoc*, participated in the Paniagua Morales *et al.* Case. The Secretary of the Court, Manuel E. Ventura-Robles, and the Interim Deputy Secretary, Víctor M. Rodríguez-Rescia, were also present.

The following matters were considered during this Session:

1. Castillo Páez Case

On November 3, 1997, the Court passed Judgment on the merits of the Castillo Páez Case (**Appendix XL**) against Peru. The Court decided unanimously that the State of Peru violated to the detriment of Ernesto Rafael Castillo Páez: the Right to Personal Liberty (article 7); the Right to Humane Treatment (article 5); the Right to Life (article 4); and the Right to Judicial Protection (article 25), the latter against Mr. Castillo-Páez and his relatives. The before-mentioned violations were all committed in relation to the violation of article 1(1) of the American Convention. The Court also decided that the State of Peru must make reparations for the consequences of the mentioned violations, compensate the family members of the victim and the costs which the relatives have incurred while litigating this Case before the Peruvian judiciary authorities. Therefore, the correspondent proceedings were opened.

2. Provisional Measures in the Álvarez *et al.* Case

On November 8, 1997 the Court held a public hearing to hear the oral submissions of the State of Colombia and the Inter-American Commission, the latter requesting provisional measures in the Álvarez *et al.* Case. By Order of November 11, 1997 (**Appendix XLII**), the Court ratified the Orders of the President of the Inter-American Court of July 22 and August 14, 1997, and required the State of Colombia to maintain the necessary measures for another six months, starting on November 11, to protect the life and integrity of the beneficiaries, to investigate the denounced facts and to sanction those responsible for them.

3. Provisional Measures in the Vogt Case

By Order of November 11, 1997 (**Appendix XLIII**), the Court decided to close the provisional measures which were adopted by Order of June 27, 1996. The Inter-American Commission, which had requested said provisional measures, argued in a written motion of October 27, 1997, that the situation of extreme gravity and urgency which motivated their adoption had ceased.

4. Suárez Rosero Case

On November 12, 1997, the Court passed Judgment on the merits in the Suárez Rosero Case against Ecuador (**Appendix XLIV**), in which it was presided by its Vice President, Judge Antônio A. Cançado Trindade, by virtue of the Ecuadorian nationality of its President, Judge Hernán Salgado-Pesantes (art. 4(3) Rules of Procedure). In its Judgment, the Court unanimously declared that the State of Ecuador violated, to the detriment of Rafael Iván Suárez-Rosero, the following articles of the American Convention: article 7 (Right to Personal Liberty), article 8 (Right to a Fair Trial), article 5 (Right to Humane Treatment), and article 25 (Judicial Protection). The Court also declared that the last paragraph of the non-numbered article after article 114 of the Criminal Code of Ecuador violates article 2 of the American Convention (Domestic Legal Effects). The above articles of the American Convention were all violated in conjunction with article 1(1) of the same. Finally, the Court declared that Ecuador must order an investigation to determine the identity of those responsible for the human rights violations in this Case and eventually sanction them, that it is compelled to pay fair compensation to the victim and his family and to reimburse the expenses they may have incurred in their actions related to these proceedings. In order to determine these reparations, the Court opened the correspondent proceedings

5. Paniagua Morales *et al.* Case

On November 13, 1997, the Court held a public hearing, following an Order of its President of October 16, 1997 (**Appendix XXXVI**), to hear the testimony of Mr. Julio Aníbal Trejo-Duque, former judge in the process undertaken in Guatemala to investigate the facts related to the "*Panel Blanca Case*", which motivated this international process. The evidentiary phase was completed with this testimony. The Case will be ready for judgment on the merits, once the parties have presented their closing arguments.

6. Advisory Opinion OC-15

On November 10, 1997, the Court held a public hearing in which it heard the observations of the States of Chile and Guatemala, the Inter-American Commission on Human Rights and Human Rights Watch/Americas and the Center for Justice and International Law regarding the OC-15 Advisory Proceeding. On November 14, 1997, the Court issued Advisory Opinion OC-15/97 (**Appendix XLV**), in which it resolved, by six votes against one, that the Inter-American Commission is not authorized to amend its opinions, conclusions and recommendations transmitted to a Member State, save under the exceptional circumstances set out in paragraphs 54 to 59 of the Advisory Opinion, and that under no circumstances shall the Commission be empowered by the Convention to issue a third report. Judge Pacheco-Gómez informed the Court of his Dissenting Opinion and Judge Cançado Trindade his Concurring Opinion.

7. Proceedings of Cases and Provisional Measures

The Court studied various procedural proceedings in the contentious Cases before it, as well as the various reports concerning provisional measures taken by the States, and the observations presented to these by the Inter-American Commission.

L. Visit of the Secretary and the Administrative Officer *a.i.* of the Court to Washington, D. C.

In order to implement the Agreement on the administrative independence of the Secretariat of the Court between the General Secretariat of the OAS and the Inter-American Court, the Secretary of the Court and the Administrative Officer *a.i.* visited for five days (November 28 to December 6, 1997) the seat of the OAS. To implement the Agreement, the following activities were undertaken:

- Meeting with Dr. Ricardo Ávila, Head of the Cabinet of the Secretary General of the OAS, and Dr. William Berenson, Legal Department of the OAS.
- Meeting with Dr. Guillermo Belt, General Inspector of the OAS, with whom the details concerning the execution of the Agreement between the General Secretariat of the OAS and the Inter-American Court were discussed so that the future administration is in accordance with the accounting, financial and internal control procedures required by the OAS to safeguard funds and the implementation of their objectives.
- Meeting with Ms. Lesley Zark, Director *a.i.* of the Human Resources Department and her assistant, Ms. Marlene Molina.
- With respect to the execution of the financial accounting part, meetings were held with Mr. Alfonso Munévar of the Budget Programming Department, and Mr. Walter Gutiérrez, Mr. Francisco Meléndez, Mr. Oscar Chavera and Mr. Sergio Martínez of the Finance Department.
- Meeting with Mr. Luis Lizondo, Treasury Secretary of the Pension Fund of the OAS.
- Meeting with Ms. María Victoria Rodríguez, in charge of the Office of Medical Insurance of the OAS.
- Meeting with Mr. Carlos Calderón, Manager of the Staff Federal Credit Union of the OAS.

The Secretary of the Court took advantage of the trip to meet other persons related to the normal activities of the Secretariat like Ambassador Fernando Herrero-Acosta, Permanent Representative of Costa Rica before the OAS and President of the Commission on Administrative and Budgetary Matters of the OAS, Dr. Miguel Méndez, Representative of Venezuela to the above-mentioned Commission, Dr. Leonel Zúñiga, Executive

Secretary of the Inter-American Commission for Integral Development, and Ms. Laura Haran, Secretary of the Commission for Juridical and Political Matters of the OAS.

M. Submission of New Contentious Cases and Advisory Opinions

During 1997, two new contentious Cases, one request for an advisory opinion, and one request for interpretation were submitted to the Court. They are:

1. Villagrán Morales *et al.* Case

On January 30, 1997, the Inter-American Commission submitted to the Court the Villagrán Morales *et al.* Case (No. 11.383) against the State of Guatemala for the events which happened since June 1990 when, according to the application, agents of the State kidnapped, tortured and killed Anstrum Villagrán-Morales, Henry Giovanni Contreras, Federico Clemente Figueroa-Túnchez, Julio Roberto Caal-Sandoval and Jovito Josué Juárez-Cifuentes (**Appendix III**).

2. Castillo Petruzzi *et al.* Case

On July 22, 1997, the Inter-American Commission submitted to the Court the Castillo Petruzzi *et al.* Case (No. 11.319) against the State of Peru. The application states that a "faceless" Peruvian tribunal condemned to life imprisonment for the crime of treason the following Chilean citizens: Jaime Francisco Castillo-Petruzzi, María Concepción Pincheira-Saez, Lautaro Enrique Mellado-Saavedra and Alejandro Astorga-Valdés. This is allegedly against articles 1(1) (Obligation to Respect Rights), 5 (Right to Humane Treatment), 8 (Right to a Fair Trial), 20 (Right to Nationality), and 25 (Judicial Protection) of the American Convention on Human Rights in detriment of the victims (**Appendix XXVI**).

3. Request for Advisory Opinion OC-16

On December 10, 1997, the State of Mexico submitted to the Court a request for an advisory opinion pursuant to article 64(1) of the American Convention (**Appendix XLVI**). The request refers to the rights of every detained foreigner who faces the risk of being sentenced to the death penalty, to be notified upon detention of his or her faculty to request the assistance from the Consulate authorities of his or her country and to depend on the guarantees of a fair trial.

4. Request for the Interpretation of the Judgment on the Merits in the Loayza Tamayo Case

On December 16, 1997, the State of Peru presented a "request for interpretation" of the Judgment issued by the Court on September 17, 1997, in the Loayza Tamayo Case.

N. Status of Cases Before the Court

1. Contentious Cases

Name of the Case	State	Present Stage
Neira Alegría <i>et al.</i> Case	Peru	Compliance with Judgment
Gangaram Panday Case	Suriname	Compliance with Judgment
Caballero Delgado and Santana Case	Colombia	Compliance with Judgment
El Amparo Case	Venezuela	Compliance with Judgment
Genie Lacayo Case	Nicaragua	Compliance with Judgment
Garrido and Baigorria Case	Argentina	Reparations
Castillo Páez Case	Peru	Reparations
Loayza Tamayo Case	Peru	Reparations
Paniagua Morales <i>et al.</i> Case	Guatemala	Merits
Blake Case	Guatemala	Merits

Suárez Rosero Case	Ecuador Reparations
Benavides Cevallos Case	Ecuador Merits
Cantoral Benavides Case	Peru Preliminary Objections
Durand and Ugarte Case	Peru Preliminary Objections
Bámaca Velásquez Case	Guatemala Merits
Villagrán Morales <i>et al.</i> Case	Guatemala Merits
Castillo Petruzzi <i>et al.</i> Case	Peru Initial Phase

2. Provisional Measures

Name	State	Time Limit
Alvarez <i>et al.</i>	Colombia	Will be considered by the Court in June 1998
Blake	Guatemala	Indefinite
Caballero Delgado and Santana	Colombia	Indefinite
Carpio Nicolle	Guatemala	Indefinite
Colotenango	Guatemala	Indefinite
Cesti Hurtado	Peru	Indefinite
Giraldo Cardona	Colombia	Indefinite

3. Advisory Opinion

Proceeding	Requesting State	Present Stage
OC-16	Mexico	Initial phase

O. Compliance with the Judgments of the Court

1. Gangaram Panday Case

On February 4, 1997, the Court emitted an Order in which it requested that the State of Suriname comply with its Judgment of January 21, 1994, by making an effort to localize the beneficiaries of the compensatory Judgment or, should that not be possible, to deposit the necessary amount into a trust account (**Appendix VI**).

On April 15, 1997, the State of Suriname informed the Court that it had deposited the sum of US\$ 10.000 (ten thousand dollars of the United States of America) in a special account for the family members of Mr. Gangaram-Panday (**Appendix XIII**).

On July 16, 1997, the Inter-American Commission communicated to the Court that it had been informed that the representative of Ms. Panday had entered into contact with the State of Suriname and had requested that payment be made in the Netherlands, country of her residence. The Commission described the transactions that have occurred in order to comply with the judgment of the Court and manifested their complaisance with the circumstances (**Appendix XXV**).

2. Genie Lacayo Case

On November 10, 1997, the Court received a communication from his Excellency, the President of the Republic of Nicaragua, Arnoldo Alemán-Lacayo, stating that he ordered the compliance with the procedures in the military jurisdiction to guarantee due process in this Case. He had also suggested to the President of the Supreme Court of Justice to resolve the criminal issue before the "*Sala de Casación*", which had been definitely resolved. Likewise, by letter of December 19, 1997, the Nicaraguan State sent documentation proving that, should Mr. Genie-Peñalba, father of the victim in this Case, refuse to receive the payment ordered by the Court

in his favor, the State would deposit the sum of US\$ 20.000 (twenty-thousand dollars of the United States of America) in his favor, in accordance with the Judgment of the Court (**Appendix XLI**).

3. El Amparo Case

On June 3, 1997, the State of Venezuela informed the Court that it had designated a commission with the task of implementing the Judgment on reparations emitted on September 14, 1996, in the El Amparo Case. Likewise, the State described some of the activities undertaken by said commission and referred to specific cases of victims and beneficiaries (**Appendix XXIV**).

On September 12, 1997, the President informed the State of Venezuela that the Court had analyzed the information that it had presented. He stated that the State should comply with the reparations judgment by following the criteria of distribution mentioned therein. Also, in cases where the facts or circumstances modify or hinder the distribution of the payment to the beneficiaries, then the State should use the criteria established in paragraphs 41 and 42 of the Judgment at hand (**Appendix XXIX**).

On October 14, 1997, the State of Venezuela informed the Court that the commission designated to implement the Judgment on reparations, had paid 34 of the beneficiaries identified by the Court. Likewise, it informed the Court that four or five weeks from the date of their writing, said commission would pay seven more beneficiaries and the remaining 16 beneficiaries by means of a trust account (**Appendix XXXVII**). To date, the State of Venezuela has not informed the Court whether it has paid all beneficiaries.

4. Loayza Tamayo Case

On October 20, 1997, the State of Peru informed the Court that Ms. María Elena Loayza-Tamayo had been released from prison on October 16, 1997, in accordance with the Judgment on the merits in this Case (**Appendix XXXVIII**).

5. Caballero Delgado and Santana Case

On October 27, 1997, the State of Colombia informed the Court that on July 9, 1997, it had deposited in the Ministry of National Defense a check for Ms. María Nodelia Parra, the beneficiary identified by the Court in its Judgment of January 29, 1997. Likewise, the State gave details on its search to identify Ms. María del Carmen Santana, a victim in this Case, and her family members; the efforts made to localize the remains of the victims in this Case; the progress made in the criminal investigation; and the status of the trust fund in favor of the younger children of Mr. Isidro Caballero-Delgado, another victim in this Case (**Appendix XXXIX**). To this date, the Colombian State has not informed the Court whether it has paid all beneficiaries their due compensation.

6. Neira Alegría *et al.* Case

On September 19, 1996, the Court rendered Judgment on reparations in the Neira Alegría *et al.* Case, in which it ordered the State of Peru to pay US\$ 154.040,74 (one-hundred and fifty-four thousand and forty dollars of the United States of America and seventy-four cents) to compensate the relatives of the victim. This amount had to be paid within six months after the notification of the Judgment to the State. By letter of December 19, 1997, the State of Peru informed the Court that they were doing all the necessary preliminary work to comply with the Judgment (**Appendix XLVII**).

Article 65 of the American Convention requires the Court to notify "*in particular, the cases in which a state has not complied with its judgments, making any pertinent recommendations.*" Pursuant to this obligation the Court informs the General Assembly of the non-compliance, by the State of Peru, with the Judgment on reparations issued by the Court on September 19, 1996, in the Neira Alegría *et al.* Case. The Court requests the General Assembly to officially require Peru to comply with said Judgment.

P. Meeting with the Inter-American Commission on Human Rights in 1997 to Comply with Resolution AG/RES.1041 (XX-O/90) of the General Assembly

In resolution AG/Res. 1330 (XXXV-O/95) the General Assembly disposed:

1. To recommend to the Inter-American Court of Human Rights that it include in detailed fashion the results of the meetings it has with the Inter-American Commission on Human Rights in addition to the final results of its periodic meetings with the Commission in its Annual Report.

On September 6 to 7, 1997, the Court and its Secretaries held a workshop at the seat of the Court, in San Jose, Costa Rica, with Commissioners John Donaldson, Robert K. Goldman, Alvaro Tirado-Mejía and Oscar Luján-Fappiano. Jorge E. Taiana, Executive Secretary, and David J. Padilla, Deputy Executive Secretary of the Commission were also present. In that meeting the following issues were discussed, which are included in the present report in order to comply with the mentioned resolution of the General Assembly of the OAS:

General Matters

- Celebration of the 50th Anniversary of the Organization of American States in Santafé de Bogota, Colombia.
- 20th Anniversary of the entry into force of the American Convention on Human Rights.
- Follow-up of the Summit of the Americas.
- Resolution of the General Assembly on reforms to the Inter-American system.
- Amendment of the Commission's Rules of Procedure on its representation.
- Follow-up of the discussion on point iii(A) of the minutes of the previous meeting (Representation of the victims).

Specific Matters

- Problem of translation of the documents of the Commission. Substantial differences. Which is the original document?
- Difficulties concerning the phase of reparations and the importance of the procedure of reparations, opportunity to offer evidence, etc.
- Divergence in criteria between the delegate and the lawyer of the Commission. Which one should the Court follow?
- Remittance of documents of the representatives of the victims which the Commission does not accept as its own. Relation with the issue of the direct representation of the victims.
- Compliance with the deadlines to submit the Commission's observations to the States' reports concerning provisional measures.
- Request for provisional measures in the absence of the President and the Secretary and time limit to resolve the requests for provisional measures.
- Policies on transcribing public hearings and presenting final pleadings.
- Role of the Commission and the Court concerning follow-up to compliance with the Judgments. Distribution of responsibilities according to the Convention. Compliance with article 65 of the Convention.
- Number and management of witnesses by the Commission.
- Evidence gathering outside the seat of the Court.
- Exchange of information on the Orders emitted by the Commission and the judgments, annual reports and other documents issued by the Court.
- Presentation of documentary evidence during the public hearings.
- The juridical nature of the obligation to compensate. Should it only include pecuniary compensation? Can domestic legal amendments be ordered?
- Scope of the obligation to recognize legal costs. Can one follow the European model?
- The publication of the procedures of the Commission and the Court.
- Evidentiary value of the proceedings before the Commission.
- Withdrawal of request for advisory opinions. Proceedings on the matter.
- Due notification for the Commission on upcoming public hearings at the Court and the issues that will be discussed.

- Notification to the victims and their representatives about judgments, Orders and briefs on the proceedings.
- Cases in which the Commission requests, as documentary evidence, in the application, files which must be required of the State.

Other Matters

- Date and place of the next meeting between the Court and the Commission.
- Joint activities between the Commission and the Court.

Agreements

As the agenda was so extensive, not all issues could be discussed and in some cases it was decided to make decisions in future meetings.

The following are the relevant decisions made during the meeting:

1. To coordinate the activities for the 50th Anniversary of the OAS and the 20th Anniversary of the entry into force of the American Convention.
2. To follow-up the next Summit of the Americas.
3. With respect to the resolution of the General Assembly of the OAS on reforms in the Inter-American system AG/Doc. 3583/97, to wait for the emission of the document prepared by the Permanent Council of the OAS before considering the emission of a joint document.
4. To elaborate proposals on the representation of victims before the Court for the next meeting.
5. To inform the General Assembly of the OAS that a chapter or subchapter could be dedicated to discussing State compliance with the Judgments of the Court and the Resolutions of the Commission, giving prior notice to the States involved.
6. To improve the communication between the Secretariats to coordinate in advance the participation of witnesses and expert witnesses during the public hearings of the Court.
7. To improve the remittance of documents and reports by both Organs.

The following issues were not discussed and will be added to the agenda of the next meeting, the date and place of which will be determined in due time.

1. Withdrawal of request for advisory opinions. Proceedings in the matter.
2. Due notification for the Commission of upcoming public hearings at the Court and the issues that will be discussed.
3. Due notification to the victims and their representatives about judgments, Orders and briefs on the proceedings before the Commission.
4. Cases in which the Commission request, as documentary evidence, in the application, files which must be required of the State.

Q. Meeting with the European Court of Human Rights

On November 4 to 5, 1997, the Court and its Secretaries held a workshop with representatives of the European Court of Human Rights, which is based in Strasbourg, France. At present both Courts are the only regional human rights courts. The workshop addressed subjects of interest to both courts, and specifically the following was discussed: Evolution of the jurisprudence and rules of procedure of both the European and Inter-American Courts of Human Rights, 1992-1997 (chaired by Judges Franz Matscher (ECHR) and Héctor Fix-Zamudio (ICHR)); Impact of the entry into force of Protocol XI and changes in the structure of the European Court of Human Rights (chaired by Judge Rolv Ryssdal, President of ECHR); and Possible modifications as reforms to strengthen the Inter-American system for the protection of human rights (chaired by Judge Antônio A. Cançado Trindade, Vice President of the ICHR). The rest of the European delegation consisted of Judge Spielmann and Mr. Herbert Petzold, Secretary.

R. External Financial Auditing of the Court

The finances for the fiscal years 1995 and 1996 of the Inter-American Court of Human Rights were audited by the External and Independent Auditors "Fernando Fumero & Asociados, S. C. - Contadores Públicos Autorizados", representing the firm The Accounting Group Worldwide in Costa Rica.

The auditors examined for the two fiscal years both the resources coming from the OAS as well as the assistance coming from the State of Costa Rica. The financial status of the Inter-American Court is a responsibility of the Administrative Department of the Court. The auditing was done to determine whether the financial transactions of the Court take into account the generally accepted principles in accounting and auditing.

According to the report of the Accounting firm of March 15, 1997, the financial books of the Court express adequately the financial and patrimonial situation of the Institution, and the income, expenses and cash flows for the periods 1995 and 1996 are in conformity with the generally accepted principles of accounting for non-profit organizations and applicable over consistent bases.

The report of the independent auditors states that the internal accounting control system utilized by the Inter-American Court is adequate for the registration and control of transactions and that it uses reasonable commercial practices to assure the most effective utilization of proportioned funds.

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

S. Financial Situation of the Court

In Panama City, Panama, during its XXVI Regular Session, the General Assembly approved the budget for the Inter-American Court for 1997 for the amount of US\$ 1,035,700.00 (one-million thirty-five thousand and seven-hundred dollars of the United States of America). However, throughout the year, the budget was cut for a number of reasons, compelling the Court to make drastic changes in its working plans as the budget reductions affected its operations, which made it necessary to take urgent measures to meet its objectives and still contribute to the strengthening of the operations of the OAS as a whole.

At the end of 1997, the budget that the Court had at its disposal amounted to US\$ 939,751.43 (nine-hundred and thirty-nine thousand and seven-hundred and fifty-three dollars of the United States of America and forty-three cents), which represents approximately a reduction of 10% of the original budget. This budget was completely spent during 1997 under the items of personnel, sessions, trips, and normal operational costs at the seat of the Court in Costa Rica.

Although its budget is financed by the OAS, the Court also receives an annual donation from the State of Costa Rica for the approximate amount of US\$ 100,000.00 (one-hundred thousand dollars of the United States of America) as part of the Agreement which established the Seat of the Court in 1983. The amount donated by the State of Costa Rica varies with the fluctuation of its budget.

Due to the current financial difficulties of the OAS and the delays which occur in the payment of the quota of the State of Costa Rica, the Court has submitted a proposal for the establishment of a Department of International Cooperation in order to encourage the attainment of financial resources to develop tending actions to strengthen and modernize the financial system, and consequently benefiting the Inter-American system for the protection of human rights.

The General Assembly of the OAS approved a budget of US\$ 1,120,000.00 (one-million and one-hundred and twenty thousand dollars of the United States of America) for 1998 during its XXVII Regular Session held in Peru. The Court expects to receive the budget without cuts like the ones which occurred during 1997. Likewise, the Court expects the State of Costa Rica to pay its approved budget for the year 1998 in accordance with what was established in the "*Ley de Aprobación del Presupuesto Nacional*."

In another section of this report (*supra* F) reference has been made to the Agreement of Cooperation signed between the Inter-American Court and the European Union through its Delegation in San Jose, Costa Rica, which plans to execute a third phase of the project in the amount of US\$ 336,000.00 (three-hundred and thirty-

six thousand dollars of the United States of America) to assist the Court in the consolidation of its publication system, the modernization of the Joint Library (IACHR/IIHR) and the creation of an electronic Human Right Center.

T. Academic Activities of the Judges of the Court

On February 23 to 25, 1997, Judge Antônio A. Cançado Trindade gave a lecture on "The Right to Peace and Preconditions for Peace" at the Meeting of Experts of UNESCO on "Right to Peace and Culture of Peace" in Las Palmas, Canary Islands, Spain. Afterwards, on June 6 to 8, 1997, in Oslo, Norway, he integrated the Drafting Committee of UNESCO which prepared the UNESCO Draft Declaration of Oslo on the Right to Peace.

In February 1997, Judge Alirio Abreu-Burelli lectured about human rights in the Public Prosecutor's Office in Caracas, Venezuela.

On March 19, 1997, Judge Héctor Fix-Zamudio participated in the International Seminar on Human Rights, organized by the House of Representatives and the European Union, reporting on the topic "Introduction to the Inter-American System for the Protection of Human Rights."

On March 21 to 23, 1997, Judge Antônio A. Cançado Trindade was *Rapporteur* of the theme "Reporting in the Inter-American System of Human Rights Protection" at the Cambridge Conference on the Future System of Human Rights Treaties, held at the University of Cambridge, United Kingdom.

On April 29, 1997, Judge Héctor Fix-Zamudio was honored at a inaugural ceremony establishing the Chair "*Héctor Fix-Zamudio*" on the "System of Constitutional Procedures" at the *Centro Universitario de México*, Division of Post-Graduate Studies.

On May 13, 1997, Judge Héctor Fix-Zamudio participated in the VIII International Congress of Ecclesiastical Law on the theme "Religious Liberty and Freedom of Conscience before the Constitutional Jurisdiction" at the Roundtable on "Religious Liberty and Freedom of Conscience Before the Constitutional and International Tribunals", reporting on "Religious Liberty and Freedom of Conscience in the System of Human Rights Protection."

In May 1997, Judge Alirio Abreu-Burelli lectured on the Adversarial Criminal Process and Human Rights at the Lawyers' Bar Association in the State of Carabobo, in Valencia, Venezuela. He also participated in the forum entitled "Meeting Between Civil Society and High Government on a Program of Human Rights" in Caracas, Venezuela.

On June 19, 1997, Judge Antônio A. Cançado Trindade delivered a lecture on "The International Protection of Economic, Social and Cultural Rights" at the XV Interdisciplinary Course on Human Rights of the Inter-American Institute of Human Rights in San Jose, Costa Rica. Afterwards, on June 7 to 10, 1997, he gave a series of lectures on the Inter-American System of Human Rights Protection at the XXVIII Session of Studies of the International Institute of Human Rights, in Strasbourg, France.

On July 17 to 18, 1997, Judges Hernán Salgado-Pesantes, Antônio A. Cançado Trindade and Alirio Abreu-Burelli represented the Inter-American Court of Human Rights as *Rapporteurs* at the Ibero-American Forum on Democratic Governance and Human Rights, celebrated in Caracas. Judge Héctor Fix-Zamudio collaborated with the article entitled "Comparative Reflections Between the European and Inter-American Courts of Human Rights" in the proceedings *Gobernabilidad Democrática y Derechos Humanos*, Caracas, Nueva Sociedad 1997, p. 61-89.

On August 11, 1997, Judge Héctor Fix-Zamudio was designated member of the Advisory Council of the Brazilian Institute of Human Rights, and Judge Antônio A. Cançado Trindade was designated its Honorary President.

On August 25 to 26, 1997, Judge Antônio A. Cançado Trindade delivered two lectures on "The Incorporation of the Norms of International Law of Human Rights Into the Domestic Law of the States", at the XXIV Course of International Law of the Inter-American Juridical Committee of the OAS, celebrated in Rio de Janeiro, Brazil.

Between August 28 and September 4, 1997, Judge Antônio A. Cançado Trindade participated in the 68th Session (Session of Strasbourg) of the Institute of International Law (*Institut de Droit International*) after having been elected as new member of the *Institut*. The Session was held in Strasbourg, France.

In the month of October 1997, Judge Alirio Abreu-Burelli lectured on the Inter-American system for the protection of human rights during a Seminar of the National Association of Judges in Bucaramanga, Colombia, and another about the jurisprudence of the Inter-American Court at the International Congress of Lawyers in Caracas, Venezuela. Likewise, in November of 1997, he delivered a lecture entitled "Sucre - Universal Pioneer of Humanitarian Law" in Santa Ana-Trujillo, Venezuela.

On November 17, 1997, Judge Héctor Fix-Zamudio participated in the International Seminar on the "Significance of the Constitution", organized by the Senate of the Republic and the Institute of Juridical Investigations of the UNAM (*Universidad Autónoma de México*), reporting on the topic "The Meaning of Constitutional Control in Mexico."

On November 28, 1997, Judge Héctor Fix-Zamudio was honored with the prize "*Juchimán de Plata*" for Human Rights and Peace, bestowed by the Foundation with the same name and the *Universidad Autónoma de Tabasco*. The ceremony was held in the city of Villahermosa, Tabasco.

During the months of November and December 1997, Judge Alirio Abreu-Burelli led a course on "Due Process" for the Post-Graduate Studies in Procedural Civil Law at the *Universidad Católica Andrés Bello* in Caracas, Venezuela.

On December 3, 1997, Judge Antônio A. Cançado Trindade delivered the inaugural lecture for the Preparatory Meeting of the 50th Anniversary of the Universal and American Declarations on Human Rights, at the National Congress of Brazil, in Brasília.

During 1997, Judge Antônio A. Cançado Trindade conducted the Post-Graduate Course on the International Law of Human Rights at the University of Brasília and the Course on Public International Law at the Rio-Branco Institute in Brasília, Brazil.

Likewise, during 1997, Judge Máximo Pacheco-Gómez conducted the following courses:

1. Introduction to Law in the Law Faculty of the *Universidad de Chile* (120 students).
2. Post-graduate course in Human Rights in the Law Faculty of the *Pontificia Universidad Católica de Chile* (20 students).
3. Human Rights in the Institute of Superior Studies of Police Studies of "*Carabineros*" of Chile (60 students).

Judge Pacheco also held a cycle of lectures on human rights in the *Universidad Nacional Andrés Bello* of Chile and others at the *Pontificia Universidad Católica* de Quito, *Universidad Central de Quito*, *Universidad de las Américas* and *Universidad de Guayaquil*, Ecuador.

U. Academic Activities of the Secretaries of the Court

On January 17, 1997, the Secretary of the Court, Manuel E. Ventura-Robles, delivered a lecture on the Inter-American system for the protection of human rights at the Institute of Foreign Service "*Manuel María de Peralta*."

On February 21, 1997, the Secretary of the Court presided and the Interim Deputy Secretary of the Court, Víctor M. Rodríguez-Rescia, was a member of the tribunal of the final rounds of the "*Eduardo Jiménez de Aréchaga*" International Human Rights Moot Court Competition of the inter-American system for the protection of human rights, organized by the Costa Rican Association of International Law.

On February 28, 1997, the Secretary of the Court lectured about the Inter-American system for the protection of human rights in the Public Defenders' Office of the Judicial Power of Costa Rica.

On May 9 to 10, 1997, the Secretary of the Court lectured about the latest tendencies in the Inter-American system for the protection of human rights at the Latin American seminar for the promotion of human rights courses at the "*Campo Virtual Informático*" of Barcelona, Spain.

On May 12, 1997, the Secretary of the Court held a lecture about the Inter-American system for the protection of human rights to professors of international law and to doctorate students at the Faculty of Law of the *Universidad de Navarra*, in Pamplona, Spain.

On June 5, 1997, the Interim Deputy Secretary of the Court lectured about the Commission and the Inter-American system for the protection of human rights to post-graduate students of the Faculty of Philosophy and Literature at the *Universidad Nacional de Costa Rica*.

On June 10, 1997, the Secretary of the Court held a lecture about the Inter-American Court of Human Rights for law students at the *Pontificia Universidad Católica de Ecuador* in Quito, Ecuador.

On June 20, 1997, the Interim Deputy Secretary of the Court delivered a lecture about the Commission, the Court and the Inter-American system for the protection of human rights to students of the "*Fernando Volio Jiménez*" XIV Interdisciplinary Course of Human Rights, organized by the Inter-American Institute of Human Rights.

On July 17, 1997, the Interim Deputy Secretary participated in a round table of the seminar "Indigenous Populations in Central America and International Law: Achievements and Limitations" held by the Ministry of Culture, Youth and Sports of Costa Rica and the Iriiria Tsochok Foundation.

On October 10, 1997, the Secretary of the Court held a specialized lecture on the Inter-American Court of Human Rights at the Superior Institute of Police Studies of "*Carabineros*", Chile. On the 13th of the same month and year, the Secretary held the same lecture at the Law Faculty of the *Universidad de Chile*.

On December 1 to 3, 1997, the Interim Deputy Secretary of the Court participated as a *Rapporteur* in the seminar "The Inter-American System for the Protection of Human Rights," organized under an agreement between the Government of Argentina and the United Nations High Commissioner for Human Rights in the City of General Roca, Argentina. On December 5, 1997, he participated as a *Rapporteur* in the "Conferences About the Systems of Protection in the Area of Human Rights," organized by the *Universidad Nacional de Lanus*, the Center for Legal and Social Studies, and the Under Secretariat of the Human and Social Rights of the Ministry of Interior of Argentina in Buenos Aires, Argentina.

V. Academic Activities of the Officers of the Court

On January 21 to 24, 1997, Víctor H. Madrigal-Borloz, Interim Director of the Legal Department of the Court, was invited by the Danish Centre of Human Rights to hold a lecture on the Inter-American system for the protection of human rights at its bi-yearly human rights course in Copenhagen, Denmark.

On January 31 to February 1, 1997, Attorney Madrigal-Borloz represented the Court at the first meeting on international dispute resolution mechanisms held in London, U.K., and organized by the Center for International Cooperation of the New York University and the FIELD Foundation.

On February 17 to 21, 1997, the lawyers of the Court acted as judges in the preliminary debates of the "*Eduardo Jiménez de Aréchaga*" International Human Rights Moot Court Competition, which is organized by the Costa Rican Association of International Law.

From April 23 to May 21, 1997, the lawyers of the Court held a number of lectures on the Inter-American system for the protection of human rights in the Public Defenders' Office of the Judicial Power of Costa Rica.

On June 5, 1997, Attorney Madrigal-Borloz, lectured about the Inter-American Court of Human Rights to post-graduate students at the Faculty of Philosophy and Literature at the *Universidad Nacional de Costa Rica*.

On June 20, 1997, the Interim Director of the Legal Department and the attorneys of the Court held a lecture about the Commission, the Court and the Inter-American system for the protection of human rights to students of the "*Fernando Volio Jiménez*," XIV Interdisciplinary Course of Human Rights, organized by the Inter-American Institute of Human Rights. Ms. Emilia Segares-Rodríguez, a legal assistant of the Secretariat, participated in the course.

During the month of July, 1997, the Attorney María Auxiliadora Solano-Monge received a scholarship from the International Institute of Human Rights to participate in the XXVIII Study Session of the International Institute of Human Rights in Strasbourg, France.

On July 16 to 18, 1997, the Attorney Derek Strain participated in the seminar "Indigenous Populations in Central America and International Law: Achievements and Limitations" held by the Ministry of Culture, Youth and Sports of Costa Rica and the Iriia Tsochok Foundation.

During the month of September, Attorney William Cartwright held a lecture on the Inter-American system for the protection of human rights at the Human Rights Course of the Danish Centre of Human Rights. Mr. Cartwright participated in the full course with Ms. Karin-Annabella Revuelta-Reinfeld, Attorney of the Court's Secretariat, as part of the agreement of cooperation with the Danish Centre.

On November 17 to 18, 1997, Attorney Madrigal-Borloz participated in the Second Workshop for the improvement of the regional systems for the protection of human rights, which was organized by the North-South Center, the Center for Justice and International Law and the Friedrich Naumann Foundation in Lisbon, Portugal.