PERMANENT COUNCIL OF THE OEA/Ser.G

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COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS Original: Spanish

Summary of the virtual special meeting to share best practices in the nomination and   
selection of candidates to the Inter-American Commission on Human Rights   
and the Inter-American Court of Human Rights held on June 11, 2020

The meeting was presided over by Ambassador Carlos Alberto Játiva, Permanent Representative of Ecuador and Chair of the Committee on Juridical and Political Affairs (CAJP). The meeting was called to order at 2:39 p.m.

The statutoryquorum was established with representatives of Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Panama, Paraguay, Peru, Saint Lucia, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.

The audio recording of the meeting is available at the following link:

<http://scm.oas.org/Audios/2020/CP_CAJP-3538_06-11-2020.MP3>

1. Adoption of the order of business

The Commission adopted the order of business ([CP/CAJP-3538/20](http://scm.oas.org/doc_public/English/HIST_20/CP42411e03.docx)).

1. Follow-up on the mandate contained in resolution AG/RES. 2941 (XLIX-O/19) “Promotion and Protection of Human Rights”: Gender equity and balanced geographic and legal-system representation on the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights

* Exchange of best practices in nomination and selection processes for candidates to the organs of the inter-American human rights system, including information on existing procedures, policies, and practices at the national level, with a view to promoting gender parity, nondiscrimination, and balance among the different regions and legal systems of the Hemisphere on the IACHR and the Inter-American Court of Human Rights

Judge Elizabeth Odio Benito, President of the Inter-American Court of Human Rights, began by thanking the OAS for its efforts to achieve absolute gender parity in the courts, beginning not only with the Inter-American Court, but also with other international and domestic adjudicatory bodies.

She then gave a brief historical account of the composition of some of the main international tribunals from the point of view of gender parity and concluded that the International Court of Justice and the Inter-American Court of Human Rights were the tribunals with the least representation and gender parity in their membership.

She also noted that the OAS had been making efforts to achieve gender parity in the organs of the inter-American human rights system. In that regard, she highlighted resolution CP/RES. 1149/20 (2278/20) “Women’s Representation and Participation in the OAS,” spearheaded by the delegations of Panama, Mexico, and Costa Rica and adopted by the Permanent Council on March 12, 2020, in which a call was made to progressively increase women’s participation and representation in decision-making positions within the Organization, as well as in all the commissions, missions, panels, and collegiate groups, including electoral observation missions, with the aim of attaining parity, which it was hoped would be achieved. She also referred to the mandate that led to the convocation of that special meeting, as well as the recent proposal submitted by the delegation of Costa Rica on the subject for consideration by the General Assembly at its next regular session. Judge Odio Benito also cited as a good practice the gender parity policy of the Federal Judiciary in Mexico promoted by the President of the Supreme Court of Mexico, Dr. Arturo Zaldívar.

In 2021 the OAS member states would propose candidates to fill the four vacancies that would occur on the Inter-American Court of Human Rights, so the meeting was a very good opportunity to propose only women and thus achieve the much desired gender parity. To continue the tradition of the Court, which had had just five women judges in 40 years, was inexcusable from the point of view of human rights, equality, and non-discrimination. More progress was needed, not only in terms of proposing candidates, but also of encouraging representation of certain groups, such as people of African descent and indigenous communities, Judge Odio Benito concluded.

Dr. Rosalía Arteaga Serrano, former Constitutional President of Ecuador and Executive President of the Foundation for the Integration and Development of Latin America (FIDAL), began her address by referring to the importance of the issue of women's participation.

The recognition of minorities and the possibility of equitable participation in forums was a topic that had been under discussion for a long time, she said. In politics, the number of women presidents or heads of government in the world was less than 10 percent, which meant that women's participation was far from fair, let alone equal. It had also become evident in recent times that with the issue of the coronavirus pandemic, countries that were governed by women had been more successful than those governed by men, said Dr. Arteaga.

It was not simply a matter of denouncing inequality or having laws on equal participation or parity, but also of making it a practice. Dr. Arteaga mentioned the case of Ecuador as an example, referring to legislation and programs on women's participation in her country’s political, administrative, and judicial life.

She reiterated that it was not only a question of adopting a decision regarding the upcoming calls for applications to the supranational courts of justice of the Americas, but also how to achieve effective parity in each country.

From the point of view of education, the area where she was working, Dr. Arteaga pointed out that the search for equal options for all human beings was achieved through influencing the processes from childhood to adulthood. Children and young people should be absolutely convinced of the need for equal opportunities.

Dr. Arteaga also shared that she was a victim of political violence in her country when, in 1997, she was not allowed to remain president of the Republic of Ecuador, just because she was a woman. She pointed out that perhaps the women of her generation had a much more deeply rooted concern for parity, struggle and equality than newer generations, who did not have to suffer areas such as access to education and university.

Latin America remained the most unequal region. In most countries, teenage pregnancy and domestic abuse remained everyday issues. The coronavirus pandemic had allowed domestic violence to increase. The indicators revealed that women, men, and families were concentrated in confined places and this caused both women and children to be at greater risk, confirming the assertion that "for a woman the most dangerous place is her home."

Discussing gender parity in the organs of the inter-American human rights system and in the political life of States also helped to conquer such spaces in academia and in private and public world, thus leading to greater balance.

Parity laws existed in many of the Hemisphere’s countries. However, that was not reflected in the composition of institutions such as parliaments, for example. At present, women were not voted for when options were offered—they were still not valued in their full dimension, in their real capacities. That was why education was the key and that was the direction in which they had to go, concluded Dr. Arteaga.

Ambassador Fernando Simas Magalhães, Permanent Representative of Brazil; Ambassador Montserrat Solano, Permanent Representative of Costa Rica; Ambassador Alejandro Ordoñez, Permanent Representative of Colombia; and Ambassador Jaime Alonzo Aparicio, Permanent Representative of Bolivia, as well as the delegations of Mexico, Argentina, Canada, United States, Paraguay, Peru, and the Dominican Republic, thanked the invited panelists for their presentations and recommendations.

During their statements, delegations endorsed the commitment to a balance of gender and of the different regions and legal systems in the organs of the inter-American human rights system. They also recognized the progress that had been made in that area in various organs of the Organization, especially the IACHR.

Some delegations agreed that there was still a long way to go to reach the standards that society demanded, so they would be supporting the promotion of a greater number of candidates to achieve the desired parity, including candidates of African descent and from indigenous communities.

They also shared information on the procedures they followed for the nomination of national candidates for positions in international organizations, some of which were adjudicatory in nature, as well as on the evaluation mechanisms they develop internally for selecting women candidates for such positions.

At the end of the remarks, the CAJP took note of the introductory presentations made by Judge Elizabeth Odio Benito, President of the Inter-American Court of Human Rights, and Dr. Rosalía Arteaga Serrano, former Constitutional President of Ecuador and Executive President of FIDAL. It also took note of the statements made by delegations during the exchange of best practices in the nomination and selection of candidates to the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, and it was agreed to present a report thereon to the Permanent Council and the General Assembly in accordance with resolution AG/RES. 2941 (XLIX-O/19).

There being no other business to consider, the meeting adjourned at 4:00 p.m.

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