FIFTIETH REGULAR SESSION OEA/Ser.P

October 20 and 21, 2020 AG//CG/doc.2 (L-O/20) rev. 1

VIRTUAL 21 October 2020

 Original: Spanish

Item 11 in the agenda

DRAFT RESOLUTION

PROMOTION AND PROTECTION OF HUMAN RIGHTS[[1]](#footnote-2)/[[2]](#footnote-3)/

(Agreed upon by the General Committee at its virtual meeting of October 21, 2020

and referred to the plenary)

 THE GENERAL ASSEMBLY,

REAFFIRMING the norms and general principles of international law and the Charter of the Organization of American States (OAS), international human rights law and international humanitarian law, as well as the rights enshrined in the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, as pertinent, and other binding inter-American instruments on the subject, and the important role played by the organs of the inter-American human rights system in promoting and protecting human rights in the Americas;

 RECALLING declarations AG/DEC. 71 (XLIII-O/13) and AG/DEC. 89 (XLVI-O/16), as well as resolution AG/RES. 2941 (XLIX-O/19) and all previous declarations and resolutions adopted on this topic;

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly June 2019-October 2020 (AG/doc.\_\_\_/20 add. 1), in particular the section on the activities of the Committee on Juridical and Political Affairs (CAJP);

 CONSIDERING that the programs, activities, and tasks set out in the resolutions within the purview of the CAJP help to further the essential purposes of the Organization of American States (OAS) enshrined in its Charter;

i.Protecting human rights in the context of the COVID-19 pandemic [[3]](#footnote-4)/

RECOGNIZING resolutions 1/2020 and 4/2020 of the Inter-American Commission on Human Rights (IACHR), concerning standards and recommendations to guide states on measures for handling and containing the COVID-19 pandemic, and the guidelines on the human rights of persons with COVID-19, as well as resolution CP/RES. 1151 (2280/20) of the Permanent Council of the OAS;

UNDERSCORING the challenges that the states of the Americas encounter in implementing urgent and necessary measures to deal with the emergency caused by COVID-19, renewing their conviction about the need to adjust such measures, in particular those that entail restrictions on rights or guarantees, on the principles of legality, necessity, proportionality, and temporality, in accordance with their applicable international human rights law obligations;

CONSIDERING that the pandemic has differentiated and intersectional impacts on the fulfillment of the economic, social, cultural, and environmental rights (ESCERs) for all sectors of the population, in particular for people and members of populations in situations of special vulnerability and/or have historically been subjected to discrimination, including women and girls;

STRESSING that health is a public good which ought to be protected by all States and that human rights related to health should include the importance of timely and proper health services, as well as the essential, interrelated elements of availability, accessibility, acceptability, and quality health care-services, products, and facilities, including medication and the benefits of scientific progress in this area, on an equal footing and based on nondiscrimination; and

STRESSING that every individual with COVID-19 has a right to the highest level of health and may experience adverse effects and limitations on other ESCERs, against that backdrop, negative impacts or restrictions on their economic, social, cultural, and environmental rights must be avoided at all costs, taking into account that certain vulnerable groups are exposed to a differentiated impact on them, as a result of COVID-19,

RESOLVES:

1. To include in measures to promote the enjoyment of the rights and the preservation of health, a human-rights focus and gender perspective to tackle the pandemic and its consequences, with a differentiated focus on people and members of populations in situations of special vulnerability and/or have historically been subjected to discrimination.

2. To promote and protect the enjoyment and exercise of human rights and protection of the right to health for persons with COVID-19, consistent with the principles of equality and nondiscrimination.

3. To promote regional technical and cooperation exchanges that include good practices of the States regarding measures adopted in the context of the pandemic with a human-rights focus and gender perspective with a view to effectively and humanely improving epidemiological responses, including to procure and promote accessibility and affordability -in a participatory, transparent, non-discriminatory way and with the widest possible geographical coverage- to medicines, treatments, vaccines, quality goods, services, information, and technological-scientific knowledge or applications that are developed for preventive, curative, palliative, or rehabilitative care of people with COVID-19.

ii. Gender parity in the composition of the Inter-American Court of Human Rights

BEARING IN MIND the section on “Gender equity and balanced geographic and legal-system representation” in resolution AG/RES. 2941 (XLIX-O/19), “Promotion and Protection of Human Rights,” adopted on June 28, 2019; and Permanent Council resolution CP/RES. 1149 (2278/20) of March 12, 2020, on “Women’s Representation and Participation in the OAS”; and

ACKNOWLEDGING that, since its installation in 1979, of the 39 judges to have sat on the Inter-American Court of Human Rights, only five have been women and, in its current make-up, only one woman is serving on the Court,

RESOLVES:

To urge the member states, when selecting and nominating judges for the Inter-American Court of Human Rights, to strive for parity in the composition of the Court by ensuring that more female candidates are nominated; and to also consolidate regional geographic representation and an appropriate balance of legal systems of the Hemisphere, while guaranteeing that the requirements of independence, impartiality, and recognized competence in the field of human rights are met**.**

iii. Eradication of statelessness in the Americas

 RECALLING the importance of the right of all persons of the Americas to nationality, as recognized in Article XIX of the American Declaration of the Rights and Duties of Man and in Article 20 of the American Convention on Human Rights, and that statelessness is a serious humanitarian problem that must be eradicated;

CONSIDERING the goals and targets of the 2030 Agenda for Sustainable Development relevant to the right to nationality and the prevention and eradication of statelessness, such as Goal 16 to promote just, peaceful and inclusive societies, which includes target 16.9: “By 2030, provide legal identity for all, including birth registration”; Goal 5 to achieve gender equality and empower all women and girls, which includes target 5.1: “End all forms of discrimination against all women and girls everywhere”; and Goal 10 to reduce inequality within and among countries, which includes target 10.3: “Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices”; and

HIGHLIGHTING the validity of the Global Action Plan to End Statelessness (2014-2024), the Brazil Plan of Action (2014), and the valuable commitments made by member states at the High-Level Segment on Statelessness, held in Geneva, Switzerland in October 2019, to assess the achievements of the Campaign and to identify challenges and measures for the fulfilment of its goals five years after its adoption,

RESOLVES:

1. To reaffirm the commitment of member states to preventing and eradicating statelessness in the Americas and to invite member states to continue implementing the actions proposed in the Global Action Plan to End Statelessness (2014-2024) and in the Brazil Plan of Action (2014) and to support the global #Ibelong campaign to eliminate statelessness by 2024, led by the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as the commitments and initiatives adopted in the context of the High-Level Segment on Statelessness in 2019.

2. To invite member states that have not yet done so to consider ratifying or acceding to the international conventions on statelessness, as appropriate, and to adopt or amend their internal legislation, as required, to establish fair and efficient procedures to determine statelessness and grant facilities for the naturalization of stateless persons in accordance with the domestic law of each country and with international law.

3. To urge member states that have not yet done so to eliminate gender-based discrimination from the legal framework pertaining to nationality; to develop appropriate safeguards to prevent cases of statelessness, in particular in cases of children, adolescents, and groups in a vulnerable situation; to promote the universal registration of births, increasing efforts as necessary to register births that occur or have occurred in border zones, Indigenous territories, and remote rural areas; and to resolve existing cases of statelessness in accordance with their respective international rights commitments and obligations, especially in situations resulting from arbitrary denial and deprivation of nationality.

iv. Universal Civil Registry and the Right to Identity [[4]](#footnote-5)/

CONSIDERING that the recognition of people’s identity facilitates the exercise of the right to a name, to nationality, to civil registration, to family relations life, and to legal juridical personality, together with other rights enshrined in such international instruments as the American Declaration of the Rights and Duties of Man and the American Convention on Human Rights, and understanding that the exercise of those rights is essential for the consolidation of any democratic society;

CONSIDERING ALSO that in the 2030 Agenda for Sustainable Development, Goal 16—”to promote just, peaceful and inclusive societies”—envisages a specific target (16.9) concerning birth registration: “By 2030, provide legal identity for all, including birth registration”;

RECOGNIZING the work carried out by the Universal Civil Identity Program in the Americas (PUICA) to support member states in their efforts to reduce the under-registration of births in the region and full recognition of the Right to Identity; and

REAFFIRMING the efforts and commitment of member states to strengthen their civil registration systems and ensure a legal identity for all, as well as the commitments and initiatives adopted in the framework of the High-Level Segment on Statelessness in 2019, including the commitments presented by the Latin American and Caribbean Council for Civil Registration, Identity, and Vital Statistics (CLARCIEV) in said segment and in the 2019 Santiago Declaration on Innovation and Cooperation to Close Gaps in Civil Identity,

RESOLVES:

1. To instruct the General Secretariat, through its Universal Civil Identity Program in the Americas (PUICA) and the Latin American and Caribbean Council for Civil Registration, Identity, and Vital Statistics (CLARCIEV) to continue providing assistance to those member states that so request for the strengthening of their civil registration systems in order to promote the protection and upholding of the Right to Identity, the universal registering of births, deaths, and other changes in civil status, and of interconnections between registration systems and national identity systems in order to ensure a legal identity for everyone, and thereby strengthen the protection of all human rights, particularly those of populations that are vulnerable, displaced, and/or historically subject to discrimination, as well as prevent and eradicate statelessness and allow universal and equitable access to essential public services.

2. To urge all member states, in accordance with their domestic law, to promote the access of all persons to identity documents by implementing effective and interoperable civil registration and vital statistics systems, including simplified, free, and nondiscriminatory procedures that respect cultural diversity, taking particular care with the protection of personal information and adopting an holistic and differentiating approach that takes account of gender, age, and rights.

v. Human rights defenders

CONSIDERING the member states’ longstanding concern over situations that prevent or impede the work of human rights defenders at the national and regional levels in the Americas; [AG/RES. 1671 (XXIX-O/99)], and the duty of states to respect, protect, and guarantee the human rights of all persons, including the right to defend and promote human rights; the important and legitimate work carried out by all those individuals, groups, and communities that engage in non-violent protest, express their opinion, publicly denounce abuses and violations of human rights, provide rights education, seek justice, truth, accountability, reparation, and non-recurrence in response to human rights violations, or exercise other activities to promote human rights, [AG/RES. 2908 (XLVII-O/17)],

RESOLVES:

1. To recognize the work being carried out locally, nationally, and regionally by human rights defenders and their invaluable contribution to promoting, upholding, and protecting human rights.

2. To urge member states to incorporate and apply comprehensive protection measures, including differentiated and collective protections and a gender perspective, into plans, programs, and policies on protection and prevention of violence against human rights defenders, including communicators, journalists and environmentalists, as well as their relatives, consistent with the new reality brought about by the pandemic, to enable such persons to carry out their activities to defend human rights with the necessary safety to, in particular, ensure effective protection for women human rights defenders in the Americas.

3. To condemn multiple forms of violence and discrimination, including acts of reprisal that human rights defenders in the Americas suffer, as well as acts that impede or prevent, directly or indirectly, human rights defenders from safely performing their activities, including during the COVID-19 pandemic.

vi. Rights of Children and Adolescents[[5]](#footnote-6)/

 CONSIDERING the focus on children and adolescents by the Inter-American Children’s Institute (IIN) as regards the state of affairs with them in the region and the impact that the recent pandemic has had on their living conditions and access to rights, especially for the most vulnerable groups and populations;

REITERATING the need to incorporate a comprehensive protection and gender perspectiveinto all programs and policies concerning children and adolescents, with a view to guaranteeing and protecting their rights without distinction on the basis of race, color, sex, disability, national or social origin, or any other condition of the child, their parents, or their legal representatives; and

REAFFIRMING the commitment of the member states of the Organization of American to preventing, punishing, and eradicating all forms of abuse and violence against children and adolescents in all areas of their lives as a hemispheric priority which, given its importance, should be the focus of a regional analysis geared towards further action, including exploring the necessity and importance of a possible inter-American instrument,

RESOLVES:

1. To urge the member states, in the face of the COVID-19 pandemic, to strengthen the measures necessary to guarantee children and adolescents their right to life, education, food, housing, and health, including mental health, and to make every effort to take specific actions to protect their personal integrity, while also considering the phenomenon of sexual violence and abuse against girls and providing families in conditions of poverty with the means necessary to enjoy their right to a decent and adequate standard of living.

2.To urge member states to continue strengthening their institutions and public policies for the promotion, protection, and restitution of the rights of children and adolescents within the framework of comprehensive protection systems based on intersectoral coordination, and to work to channel as much of their available resources as possible toward the realization of those rights.

3. To welcome the work that the Inter-American Children’s Institute (IIN) does as an OAS specialized agency, and to recognize its role in providing member states with technical assistance to develop and implement public policies, plans, and programs for promoting, protecting, and effectively observing the human rights of children and adolescents.

4. To urge states to strengthen and adopt the immediate measures necessary to prevent, punish, and eradicate violence against children and adolescents.

5. To instruct the General Secretariat, in consultations with the member states and with the Inter-American Children’s Institute (IIN) and other OAS relevant bodiesto conduct a hemispheric analysis on prevention, eradication, and punishment of abuse and all forms of violence against children and adolescents with a view to, among other things, consider the necessity and importance of crafting a specific inter-American instrument on the subject using existing resources. Said study will be referred to the General Assembly at its fifty-first regular session, through the Committee on Juridical and Political Affairs.

6. To urge memberstates to strengthencooperation for protecting children and adolescents and guaranteeing their rights, especially in crises and humanitarian emergencies that could exacerbate their vulnerable situation.

vii. Persons who have disappeared and assistance to members of their family

REAFFIRMING the member states’ responsibility to continue making the necessary efforts to alleviate the suffering, anxiety, and uncertainty experienced by relatives of persons reported missing in connection with, *inter alia*, armed conflicts or situations of armed violence, migration, or natural disasters, in order to address their various needs and to satisfy their right to truth,justice and, as appropriate,reparation for the harm caused, [[6]](#footnote-7)/

RESOLVES:

 1. To urge member states, in accordance with their obligations in the area of international humanitarian law and international human rights law, and taking into account existing jurisprudence on the subject, to continue progressively to adoptmeasures, including laws, protocols, guidelines, and other national provisions of a legal and institutional nature, in order to:

1. Prevent the disappearance of persons, with particular attention to members of vulnerable groups, in that context, including unaccompanied children and adolescents and women and girls;
2. Take up cases of missing migrants, and of children and adolescents presumed missing, with a view to searching for them, locating them, and, if possible, reuniting them with their families; in the event that they are deceased, identifying them and returning their remains to their families, where possible, and promote national coordination and regional cooperation on technical, judicial, and consular assistance;
3. Clarify the whereabouts and fate of missing persons to ensure a prompt response to family members, and consider the possibility of setting up mechanisms or entities, primarily with a humanitarian nature and vocation, to allow for a comprehensive, wide-scale investigation and, in the case of death, to prioritize the humanitarian objectives of recovery, identification, restitution, and decent disposal of the mortal remains, while at the same time complying with the obligations to investigate, prosecute, and punish the parties responsible for the disappearances;
4. Meet the needs of family members, related to access to information about possible causes of their disappearance**,** including knowing the truth about what happened to their loved ones; conducting a search, recovering the mortal remains in the event of death, and returning them; resolution of legal and administrative problems through comprehensive and affordable domestic legal processes, which recognize the legal status of missing persons;
5. Adopt the necessary measures to preserve the traceability and ensure the dignified treatment of the human remains of deceased persons whether identified orunidentified and as yet unclaimed, as well as post-mortem information on them, in order to preserve the possibility of identifying them and delivering the human remains to their respective families at a later date;
6. Adopt the necessary measures to locate, respect and protect places where human remains of persons presumed missing may be found, with a view to their identification, recovery, and dignified return;
7. Guarantee the participation and representation of victims and their family members at the relevant proceedings, and their access to justice and to mechanisms that ensure them full, fair, prompt, and effective reparations. Ensure arrangements for the protection of victims and witnesses in criminal courts and in other justice mechanisms, when their safety and well-being are in danger as a result of their reporting the crime of forced disappearance and other offenses that result in the disappearance of persons;
8. Strengthen technical skills involved in the search, recovery, and analysis of human remains and associated evidence, and the use of various forensic sciences;
9. Strengthen forensic agencies and disappeared persons search offices with the necessary resources (infrastructure, equipment, trained specialists) to implement standards and protocols for the recovery, custody, and identification of the human remains of deceased persons;
10. Promote training and capacity building for actors that provide psychosocial support and psychological care during the process of searching for persons who have disappeared and assistance to members of their family;
11. Guarantee appropriate management of information, including information related to the personal data of missing persons and their families, by establishing information management systems to gather, protect, and manage data in keeping with national and international legal standards and provisions, in order to support the search for and identification of missing persons;
12. Promote, when necessary, in the organizational structure of forensic agencies and disappeared persons search offices whose purpose is to manage the records of unidentified and unclaimed deceased persons, to compare the information on missing persons with that on dead persons, and to produce a scientific identification report for the authorities and family members.

2. To urge member states to ensure the implementation of applicable law in this area, with a humanitarian approach.

3. To encourage member states to ratify or accede to the Inter-American Convention on Forced Disappearance of Persons and the International Convention for the Protection of all Persons from Forced Disappearanceand implement them in domestic system of laws**~~;~~** recognize the competence of the United Nations Committee on Enforced Disappearances; share experiences and best practices; strengthen international cooperation and exchanges of information; support the participation and technical assistance of international and national institutions with recognized experience in the search for disappeared persons; in addition, to invite member states to continue their cooperation with the International Committee of the Red Cross, facilitating its work and honoring its technical recommendations, with a view to consolidating measures adopted by member states to search for disappeared persons, treat human remains in a dignified way, and assist their family members.

 4. To encourage member states to promote national adoption of measures related to the provisions of resolution AG/RES. 2134 (XXXV-O/05), “Persons Who Have Disappeared and Assistance to Members of their Family,” and subsequent resolutions on the subject adopted by the General Assembly and to provide information in that regard; and to instruct the Committee on Juridical and Political Affairs to ensure that information is circulated prior to the fifty-secondregular session of the OAS General Assembly.

viii. Strengthening the Follow-up Mechanism for Implementation of the Protocol of San Salvador

HIGHLIGHTING that, to date, only 16 member states have ratified the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), Article 19 of which provides that the States Parties undertake to submit periodic national reports on the progressive measures they have taken to ensure the full exercise and due respect for the rights set forth in that instrument;

EMPHASIZING that, in accordance with the principles set forth in the update of the appendix “Composition and Functioning of the Working Group to Examine the National Reports Envisioned in the Protocol of San Salvador,” pursuant to Resolution AG/RES. 2908 (XLVII-O/17),” since August 2019 that Working Group has a majority of women;

CONCERNED by the serious crisis associated with the COVID-19 pandemic that has generated obstacles to the exercise of the rights set forth in the Protocol of San Salvador, such as the rights to health, education, adequate nutrition, social security and work, among others, and has widened the gaps that historically discriminated and vulnerable groups face in the exercise of their rights, and recognizing in this regard the efforts made by the Working Group to support member states in responding to the pandemic through various activities,

RECOGNIZING the contribution of the Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights, on behalf of the Inter-American Commission on Human Rights, to theWGPSS, and taking note of its reports; and

RESOLVES:

1. To commend the commitment and efforts of the States Party that met the deadlines for the presentation of national reports, especially those that submitted their integrated national report; and, in that regard, to remind and to request the States Party that have not yet done so to submit promptly the pending national reports.

2. To invite member states to consider signing, ratifying, or acceding to, as applicable, the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador); to appeal to member states, permanent observers, and individuals and public and private institutions, whether national or international, to contribute to the Specific Fund for the Working Group to Examine the National Reports Envisioned in the Protocol of San Salvador (WGPSS), as defined in Article 74 of the General Standards to Govern the Operations of the General Secretariat and other provisions of the Organization; to call on the states party to consider hosting meetings of the WGPSS in their countries as a way of supporting and disseminating its work; and to encourage member states to consider allocating existing funds from the Regular Fund to the Mechanism.

3. To urge the WGPSS to strengthen support in the area of training and technical assistance for OAS member states, when so requested and subject to the availability of resources, during and after the COVID-19 pandemic, taking into account the consequences that the pandemic will have on the enjoyment of economic, social, cultural, and environmental rights,[[7]](#footnote-8)/ in particular for historically discriminated and vulnerable groups, as well as, whenever they so request, in the process of preparing national reports and in following up on its observations.

 4. To request that the General Secretariat support the full functioning of the WGPSS by allocating it funds to perform its activities and that it disseminate as widely as possible the progress made by the system of national reports.

ix. Promotion of the Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance and the fight against all forms of discrimination

 RECOGNIZING the importance of ratifying the Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance,

RESOLVES:

1.To request the Committee on Juridical and Political Affairs to organize a meeting with the purpose of gathering input from member states for countering intolerance and discrimination in the region.

2. To invite member states to consider signing, ratifying, or acceding to, as appropriate, both the Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance, bearing in mind that the two instruments promote coexistence in diversity, which is understood as one of the bulwarks of democratic societies in the Hemisphere.

x. The Power of Inclusion and the Benefits of Diversity

 GIVEN THAT the emergency situation caused by the COVID-19 pandemic prevented the holding of a 2020 CAJP special session addressing the topic of “The Power of Inclusion and the Benefits of Diversity” as mandated by section xi of resolution AG/RES. 2941 (XLIX-O/19),

RESOLVES:

1. To extend this mandate so that this special session be held in advance of the 2021 General Assembly.

2. To recommend that in addition to drawing its direction from section xi of resolution AG/RES. 2941 (XLIX-O/19), the proposed special session also take into account our evolving appreciation of the importance and complexity of inclusion, especially with regards to COVID-19 impacts and responses and concerning problems of racial discrimination.

xi.Right to Freedom of Conscience and Religion or Belief [[8]](#footnote-9)/

RECALLING Section xviii of resolution AG/RES. 2941 (XLIX-O/19) adopted by consensus during the June 2019 General Assembly;

REITERATING that, despite the challenges imposed by the COVID-19 pandemic, states must respect human rights, including the right to freely exercise freedom of religion or the beliefs of all people, including religious minorities or those who profess no faith, in pursuit of equality and non-discrimination for all, and that states must respect the plurality or religions and the right of all persons to profess different religious beliefs in accordance with Article 12 of the American Convention on Human Rights or Article 18 of the International Covenant on Civil and Political Rights, as applicable;

WELCOMING the Committee on Juridical and Political Affairs’ special meeting of February 20, 2020 in which member states shared lessons learned and exchanged good practices to advance the goals of the 2019 resolution;

NOTING WITH CONCERN that there continue to be acts of intolerance and violence against individuals, communities, including religious minorities in all regions around the world exercising their right to freedom of conscience and religion;

NOTING Article 12 of the American Convention on Human Rights states that, “Everyone has the right to freedom of conscience and of religion. This right includes freedom to maintain or to change one’s religion or beliefs, and freedom to profess or disseminate one’s religion or beliefs, either individually or together with others, in public or in private”;

RECOGNIZING the right of persons—acting either individually or in community with others—to profess a religion or beliefs, including the possibility of freely choosing the religious leaders, clerics, and teachers they may call on to serve or to teach on their behalf, observing the principles of equality and nondiscrimination; the right or freedom of parents to have their children receive a moral and religious education in line with their beliefs, in pursuit of the best interests of children; and the duty of states to respect and allow individuals to exercise their right of freedom of conscience or religion by adopting such legislative or other measures as may be necessary to uphold those freedoms, in keeping with Article 12 of the American Convention on Human Rights or Article 18 of the International Covenant on Civil and Political Rights, as applicable; and

RECALLING that all human rights are universal, interdependent and indivisible,

RESOLVES:

1. To protect everyone’s right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, to change or to adopt a religion or belief of one’s choice and the freedom, either alone or in community with others and in public or private, to manifest religion or belief in worship, observance, practice and teaching.

2. To emphasize that freedom of thought, conscience, and religion or belief and freedom of expression are interrelated and mutually reinforcing and, moreover, to stress the role that these rights can play in the fight against all forms of intolerance, violence, and discrimination of any kind, including, among other situations, when aimed at religious believers for their faith,consistent with the American Declaration of the Rights and Duties of Man and, as applicable, the American Convention on Human Rights*.*

3. To call upon states to protect the ability to worship as well as all places of worship, so as to allow individuals to peacefully and safely practice their faith alone or in the community with others –including within the context of limitations posed by the COVID 19 pandemic in accordance with necessary and proportionate health measures, in keeping with Article 12 of the American Declaration on Human Rights, where appropriate, and Article 18 of the International Covenant on Civil and Political Rights.

4. To encourage the OAS’s technical and autonomous bodies to conduct a study on the implementation of Article 12 of the American Convention on Human Rights, and also to encourage the Permanent Council to hold a special meeting in order to share the results of that study with the member states and, in the context of the proposed special meeting, so that the states can exchange opinions on the study, with a focus on the promotion of freedom of religion and conscience in the absence of all distinction.

5. To request that the General Secretariat follow-up on the mandates contained in AG/RES. 2941 (XLIX-O/19) by organizing a regional dialogue on the right to freedom of conscience and religion or belief, ideally as follow-up to International Religious Freedom Day which is observed on October 27, supported with input from member states, the Inter-American Commission on Human Rights, and other religious and civil society actors to include a discussion on best practices including protecting places of worship; and to request the Committee on Juridical and Political Affairs to organize, within existing resources, a second special meeting where member states may continue to discuss lessons learned and exchange good practices, and to present the results of that meeting to the Permanent Council prior to the next regular session of the General Assembly.

xii. Situation of Afro-Descendant Populations in the Hemisphere and Racism[[9]](#footnote-10)/

RECOGNIZING the important contributions of the Afro-descendant persons and communities, particularly those of Afro-descendant women, to the history, cultures and development of the peoples of the Americas; the prevailing need to eliminate the historical discrimination and intolerance that they have suffered as a product of the affliction of racism, xenophobia and of the traces of slavery, that manifest themselves in a differentiated manner for women, increasing poverty, violence and causing their living conditions to deteriorate; as well as the importance of eliminating the structural barriers that limit the economic and social development of the Afro-descendent population and to gather disaggregated data based on ethnic origin;

TAKING NOTE of the entry into force of the Inter-American Convention against All Forms of Discrimination and Intolerance on February 20, 2020;

 TAKING NOTE also of the “Commitment of San José”, adopted on October 18th 2019 in San José, Costa Rica, through which a group of States in the Hemisphere have defined priority actions directed at eliminating the breaches of inequality and to attend to the problems of access to education, health, employment and development that affect Afro-descendant persons; and

OBSERVING WITH CONCERN that, as pointed out by the Inter-American Network of High Authorities on Policies for Afro-descendant Populations (RIAFRO) and the Inter-American Commission on Human Rights, the COVID-19 pandemic crisis could represent a disproportionate impact on the Afro-descendant population in the region, due to situations of greater vulnerability in relation to the general population, given the obstacles faced by them in accessing public health, the greater prevalence of chronic medical conditions, the lesser access to social safety nets generated by the State and the high rate of informal jobs, among other factors,

RESOLVES:

 1. To condemn all forms of racism and discrimination against Afro-descendant persons in the Hemisphere, while recognizing that this continues to be a reality that limit their economic and social welfare and that the States should unite efforts to combat and eradicate it.

 2. To urge member states to guarantee, in their responses to the health emergency caused by the COVID-19 pandemic crisis, the availability, accessibility, acceptability and quality of health services to Afro-descendant persons and communities, under conditions of dignity, equality and non-discrimination.

 3. To urge member states to continue to adopt all necessary measures for the implementation of the Plan of Action for the Decade for Persons of African Descent in the Americas (2016-2025), as well as to ensure the objectives of the International Decade for People of African Descent (2015-2024), as well as to invite them to improve their collection and processing of disaggregated data – including the gender perspective and the dimension of intersectionality– when adopting public policies aimed at the challenges faced by Afro-descendant persons, women in particular, with respect to employment and access to health, housing and education, with the goal of eliminating the inequalities that they suffer and to improve their conditions and face the serious social and economic consequences predicted in the post-pandemic.

 4. To instruct the General Secretariat of the OAS – Department of Social Inclusion of the Secretariat of Access to Rights and Equity –, in the framework of its function of monitoring the implementation of the Plan of Action for the Decade for Persons of African Descent in the Americas (2016-2025), to elaborate a regional report on the situation of the persons of African descent and on the advancement of the actions of the Plan, in the terms of this resolution. The report shall be presented during a Special Meeting of the Permanent Council of the OAS in the framework of the IV Week for People of African Descent in the Americas in 2021.

 5. To invite those member states that are not parties to the Inter-American Convention against Racism, Racial Discrimination and Related Intolerance, or the Inter-American Convention against All Forms of Discrimination and Intolerance, to consider the possibility to ratify these instruments.

 6. To invite member states to consider the possibility to join the Inter-American Network of High Authorities on Policies for Afro-descendant Populations (RIAFRO).

xiii. Autonomous official public defenders as a safeguard for the human rights of all, without discrimination, especially indigenous peoples

RECALLING that the General Assembly took note of the Principles and Guidelines on Public Defense in the Americas, unanimously adopted by the Inter-American Juridical Committee in resolution CJI/RES. 226 (LXXXIX-O/16); recalling also the Practical Guide to Inclusive Rights-Focused Responses to COVID-19 in the Americas published by the Organization on April 7 this year, in particular its Chapter VIII, “The protection of persons deprived of liberty during the COVID-19 pandemic”; and

TAKING NOTE of the Brasilia Regulations regarding Access to Justice for Vulnerable People; that they urge that indigenous individuals and peoples be able to fully exercise their rights before the justice system without any discrimination based on their indigenous origins or identity, or their economic status; and of Article XXII (3) and Article XXIII of the American Declaration on the Rights of Indigenous Peoples,

RESOLVES:

1. To affirm the fundamental importance of cost-free legal defense services provided by official public defender institutions in the Americas, in terms of promoting and protecting the right of access to justice for all, particularly those in a vulnerable situation, which is an essential aspect of the consolidation of democracy, and to highlight the work of official public defenders in the Americas in the context of the COVID-19 pandemic, especially with regard to persons deprived of liberty in order to guarantee hygienic conditions and effective access to health care for this vulnerable group, among other issues.

2. To encourage member states, in accordance with their national laws and policies and in particular official public defender institutions, to guarantee access to justice with an intercultural approach for the effective enjoyment of all human rights of indigenous peoples, especially their economic, social, cultural, and environmental rights.

xiv. Human rights and the environment [[10]](#footnote-11)/

CONSIDERING that the global health emergency caused by the COVID-19 pandemic has prevented the Permanent Council from including the topic of access to information, public participation, and access to justice in environmental matters in Latin America and the Caribbean at one of its regular meetings, in fulfillment of the mandate established in section VII of resolution AG/RES. 2941 (XLIX-O/19),

RESOLVES:

1. To extend this mandate so as to instruct the Permanent Council to include the topic of access to information, public participation and justice in environmental matters in Latin America and the Caribbean in one of its regular meetings and invite the IACHR and the Working Group to Examine the National Reports Envisioned in the Protocol of San Salvador (WGPSS) to provide a report on the situation in Latin American and the Caribbean in that regard.

2. To recommend that the Permanent Council, when addressing this issue at one of its meetings, in addition to the provisions of section vii. of resolution AG/RES. 2941 (XLIX-O/19), ponder including reflections on the impact of environmental issues, including climate change, on poverty and the enjoyment of human rights, and on the life, environment, and well-being of all species on the planet, including human beings, taking into account post-pandemic economic reconstruction plans.

3. To once again urge the member states of Latin America and the Caribbean to consider signing, ratifying, or acceding to, as appropriate, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), which was opened for signature in New York City on September 27, 2018.

xv. Human rights of older persons

RECOGNIZING the contributions of older persons to the development of the nations of the Hemisphere, as well as the obligation to ensure the full enjoyment of all their rights, in particular their physical and mental health, so that they can lead a full, independent and autonomous life, free of violence and all discrimination, with security, integration, and active participation in the economic, social, cultural, and political spheres;

TAKING NOTE of the entry into force in 2017 of the Inter-American Convention on Protecting the Human Rights of Older Persons, the only legally binding international instrument that addresses the rights of older persons, as well as the recent creation by the IACHR of its Rapporteurship on the Rights of Older Persons;

RECOGNIZING that the COVID-19 pandemic disproportionately affects people in vulnerable situations, in particular the more than 85 million older persons living in the region, as they are at greater risk for poverty, disability, discrimination, and isolation;

NOTING WITH DEEP CONCERN the increase in violence, abandonment, lack of respect for autonomy and will, the persistence of prejudice and stereotypes with regard to old age and ageing; age discrimination amid the urgent attention given to other priority groups; an insufficient number of health professionals (geriatricians) and specialized social services (gerontologists) adversely affecting adequate quality of care; as well as social gaps accentuated by mitigation measures, including the gap in access to technology;

BEARING IN MIND that gender-based discrimination, together with certainother conditions of vulnerability, exacerbates the impact of the current pandemic and thus negatively affects the lives of older women, increases the risks of exclusion, and exposes them to greater risk of infection of COVID-19 as a result of caregiving and other work traditionally done by women;

CONSIDERING the importance of incorporating older people in the implementation and monitoring of the Sustainable Development Goals, given the demographic change trends in the region; and

CONDEMNING all forms of violence and discrimination against older persons, including those involving abandonment, non-respect for their autonomy, gender-based violence and abuse, and, in particular, those situations that undermine their dignity or limit the exercise of their rights on an equal basis to other generational groups in the context of the COVID-19 pandemic,

RESOLVES:

1. To encourage States that have not done so to consider, as appropriate, ratifying or acceding to the Inter-American Convention on Protecting the Human Rights of Older Persons.

2. To urge States to take into account the situation and needs of older persons when designing and implementing intersectoral public policies on comprehensive care, including health promotion, prevention and care of illness at all stages, dignified conditions of care, rehabilitation and palliative care, while ensuring their autonomy and physical, economic, and social security, as well as programs aimed at reducing the digital divide and thereby facilitating their access to public and private services, in order to promote the enjoyment of the highest levels of physical, mental, and social well-being, without discrimination.

3. To encourage member states to ensure preferential attention and universal, equitable and timely access to quality comprehensive health services, especially those that provide care for older persons in vulnerable situations, and to strengthen the capacities of health, social, and socio-health service workers and specialized academic, professional, and technical training in geriatrics, gerontology and palliative care, among others, taking into account human rights.

4. To request the Inter-American Commission on Human Rights, subject to its available resources, to prepare a report on the human rights situation of older persons in the Hemisphere.

5. To instruct the Permanent Council to mark World Elder Abuse Awareness Day on June 15 every year.

xvi. Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities 2016-2026 and Support for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities

BEARING IN MIND the obligations and commitments assumed by the States in relation to the promotion of the rights of persons with disabilities in the Americas, reflected in the Inter-American Convention for the Elimination of All Forms of Discrimination against Persons with Disabilities (CIADDIS) for the States parties and the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities 2016-2026 (PAD);

RECOGNIZING that persons with disabilities are among the groups most disproportionately affected by the effects of the COVID-19 pandemic in health, economic situation, education, social protection, among other areas, aggravating barriers pre-existing accessibility and adaptability of essential public services, employment and education;

CELEBRATING the creation of the OAS Group of Friends of Persons with Disabilities in December 2019, to promote the rights and empowerment of persons with disabilities with the support of their families, raising awareness about their life situation and recognizing disability as part of human diversity, and disseminate their achievements and contributions to the development of their communities, among other objectives; and

RECALLING the commemoration of the International Day of Persons with Disabilities within the framework of the Permanent Council held on December 11, 2019, in which the human rights of persons with intellectual and psychosocial disabilities were reflected,

RESOLVES:

1. To urge member states to consider the situation of structural discrimination as well as physical and attitudinal barriers directed at persons with disabilities in the context of the COVID-19 pandemic, and to include their specific needs in a comprehensive manner in responses during and after the pandemic, so that persons with disabilities can exercise their rights on an equal basis to others and without discrimination, in line with the objectives set out in CIADDIS and the PAD, among other international instruments on the matter.

2. To urge member states to take measures aimed at ensuring that persons with disabilities enjoy access to telework, on equal terms with other workers, so that they can continue to meet their economic needs, just like their peers. To urge the States and Employers to provide accessibility conditions for these purposes, which allow the fulfillment of teleworking for persons with disabilities on and equal basis to others.

3. To urge member states to adopt all necessary measures to help guarantee the safety and protection of persons with disabilities, without any type of discrimination, in situations of risk or emergency.

4. To invite member states to establish, promote, and execute policies aimed at providing timely care, equalization of opportunities, and inclusion of persons with disabilities, through plans, programs, projects, and actions aimed at the fulfillment and exercise of their rights.

5. To encourage OAS Member States that are not Party to CIADDIS to consider signing, ratifying, or acceding to, as applicable, said Convention, in order to intensify regional efforts on the inclusion of and non-discrimination against persons with disabilities; and likewise, reiterate the importance of making voluntary contributions to the Specific Fund for the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities (CEDDIS) [CP / RES. 947 (1683/09)], created with in order to complement the financing of the activities of CEDDIS and its Technical Secretariat, as well as to encourage the States Parties to make their best efforts to implement the recommendations issued by CEDDIS in their evaluations by areas of action to the national reports on the implementation of CIADDIS for the States parties to the Convention, and the PAD.

6. To recognize and strengthen the work of the Department of Social Inclusion and entrust it, in its capacity as Technical Secretariat of CEDDIS and the area promoting programs, projects and initiatives for social inclusion of persons with disabilities, to continue, in coordination with the Member States, disseminating and promoting the rights of this group, non-discrimination, and their full participation in all areas of society; and reiterate the request to the General Secretariat to implement the broadest efforts to mainstream and intersectoralize the perspective of inclusion of persons with disabilities in the Organization, from a rights perspective.

7. To encourage Member and Observer States to contribute to the specific fund of voluntary contributions to support the implementation of the PAD and the management of the Joint Working Group in charge of the Follow-up of the Implementation of said instrument.

8. To invite the member states and the General Secretariat to commemorate the International Day of Persons with Disabilities, which is celebrated every December 3, through actions that contribute to the full recognition, visibility, exercise and enjoyment of the rights of persons with disabilities, at the national and international levels for the achievement of common objectives, and with regard to the activities promoted by the Organization, that these be carried out subject to the availability of financial resources in its program-budget and other resources.

xvii. Protection of Asylum Seekers and Refugees in the Americas [[11]](#footnote-12)/

HIGHLIGHTING the importance of the Brazil Plan of Action: A Common Roadmap to Strengthen Protection and Promote Sustainable Solutions for Refugees, Displaced and Stateless Persons in Latin America and the Caribbean within a Framework of Cooperation and Solidarity (“Brazil Plan of Action”), adopted on December 3, 2014, as the strategic framework for the protection of asylum-seekers, refugees, displaced and stateless persons in the region;

HIGHLIGHTING ALSO the importance of the Global Compact on Refugees, the launching of the Asylum Capacity Support Group, and the presentation of commitments by a number of member states of the Organization during the First Global Refugee Forum, held in Geneva in December 2019, particularly as regards strengthening asylum and protection capacities, shared responsibilities, and lasting solutions;

 RECALLING resolutions AG/RES. 2928 (XLVIII-O/18) and AG/RES 2941 (XLIX-O/19), which refer to the Comprehensive Regional Protection and Solutions Framework (MIRPS), which now comprises Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Panama and is regarded in the 100 Points of Brasilia as a pioneering and dynamic subregional initiative and a practical application of the Comprehensive Refugee Response Framework and a contribution to the Global Compact on Refugees; and taking note of the “Mexico City Declaration on International Protection, Shared Responsibility, and Regional Solidarity Actions in MIRPS countries”, adopted at the Second Annual Meeting of the Mechanism on November 8, 2019; as well as the presentation of the Second Follow-up Report of the MIRPS at the First Global Refugee Forum; and

UNDERSCORING that the region is facing unprecedented humanitarian situations and that at the end of 2019 more than 1,900,000 people were seeking asylum,[[12]](#footnote-13)/ making it urgent to craft innovative and pragmatic solutions for determining refugee status in a manner consistent with States’ obligations under international refugee law and to strengthen national systems for determining refugee status, under conditions exacerbated by the COVID-19 pandemic,

RESOLVES:

1. To urge member states to continue implementing the programs and thematic focuses of the Brazil Plan of Action and, with the support of UNHCR and the Asylum Capacity Support Group, to continue increasing, as applicable, their national asylum capacities so as to enhance their response to the large-scale influx of persons needing international protection, within available resources; while inviting the member states concerned to fulfill the commitments made during the First Global Refugee Forum.

2. To recommend to interested member states that they develop best practices for determining refugee status, based on optimization of the mechanisms for identifying international protection needs in keeping with each person’s profile, risks, and vulnerabilities; the strengthening of systems for case referral, biometric registration, and digital processing of applications; the establishment of triage systems and expedited, simplified, merged, and special procedures for determining refugee status, or procedures based on the presumption of inclusion or group determination; as appropriate; as well as on promotion of digital identity.

3. To call upon UNHCR and the international community, in light of the current overburdening of refugee status determination systems, exacerbated by the COVID-19 pandemic, to support the design, financing, and implementation of national projects aimed at achieving more robust national asylum systems in the interested states, along with regional initiatives to foster training and exchanges of best practices among National Refugee Commissions (CONAREs), the identification of at-risk person profiles using country of origin information, the sharing of best practices via a regional digital platform, and the dissemination of a regional model for determining refugee status.

4. To encourage, where appropriate, the updating of national rules and regulations, taking into account member states’ experiences and best preventive and protection practices and lasting solutions for persons needing international protection, such as the Comprehensive Regional Protection and Solutions Framework (MIRPS), with the support and technical cooperation of the OAS General Secretariat and the Office of the United Nations High Commissioner for Refugees; as well as joint work on developing international solidarity, regional cooperation, and shared responsibility mechanisms, with the participation of all pertinent actors; and to instruct the Committee on Juridical and Political Affairs to follow up on this resolution and report each year on its implementation.

5. To underscore the adoption of resolution CP/RES. 1154 (2286/20), establishing the “Fund for the Comprehensive Regional Protection and Solutions Framework,” and to urge member states, permanent observers, and other donors to make voluntary contributions to the Fund, in order to support the objectives of the MIRPS aimed at increasing and reinforcing its activities, as well as regional cooperation mechanisms to support implementation of the Global Compact on Refugees.

6. To acknowledge the establishment of the Support Platform for the MIRPS and, in particular, Spain’s commitment to chair it and spearhead efforts to mobilize financial and technical assistance and political backing, aimed at fostering the continuity, predictability, and sustainability of support for the national and regional objectives of the countries participating in the MIRPS.

7. To acknowledge that States have adopted policies and measures to prevent the spread of the COVID-19 pandemic and to consider that this context poses an even more daunting challenge for member states of the MIRPS and other States in the region, given that it may seriously impair full observance of the human rights of asylum-seekers, refugees, persons returned to their countries of origin who need protection, and displaced persons. It is likewise vital to find mechanisms for implementing measures aimed at preventing and combating xenophobia and the stigmatization of members of that vulnerable population and to include them in policies and actions for providing care and humanitarian assistance during the pandemic.

8. To invite member states to provide humanitarian assistance, and seek and adopt protection measures, along with lasting solutions to the multiple problems besetting persons with international protection needs, which have been exacerbated by COVID-19, rendering them even more vulnerable.

xviii. Follow-up of recommendations of the Inter-American Commission on Human Rights

TAKING INTO ACCOUNT that on June 10, 2020, in cooperation with Paraguay, the IACHR made available to the general public the Inter-American System for Monitoring Recommendations (“Inter-American SIMORE”), which is an online software that collects the recommendations formulated by the IACHR through different mechanisms and thereby opens up a channel for exchanging and receiving information on the follow-up of recommendations in the member states.

RESOLVES:

To take note of the importance of the IACHR’s Inter-American System for Monitoring Recommendations (Inter-American SIMORE) in strengthening the follow-up of recommendations to promote human rights throughout the region and to encourage all interested stakeholders to make use of this important tool.

xix. Human rights and prevention of discrimination and violence against LGBTI persons [[13]](#footnote-14)/ [[14]](#footnote-15)/ [[15]](#footnote-16)/ [[16]](#footnote-17)/ [[17]](#footnote-18)/ [[18]](#footnote-19)/ [[19]](#footnote-20)/ [[20]](#footnote-21)/ [[21]](#footnote-22)/

RECOGNIZING the efforts made by member states in the fight against violence and discrimination against all groups in vulnerable situations in accordance with their international human rights obligations, and within the framework of development plans and public policies of each State;

TAKING INTO ACCOUNT that despite such efforts, lesbian, gay, bisexual, trans and intersex (LGBTI) persons continue to be subjected to violence and discrimination based on their sexual orientation, gender identity or expression, and sexual characteristics;

RECOGNIZING that trans persons and in particular trans women are in a situation of particular vulnerability as a result of the combination of various factors such as prejudice, exclusion, discrimination and violence in public and private spheres;

CONSIDERING with special concern that violence against girls, boys and adolescents manifests itself both in the public and private spheres, for various reasons, including as a consequence of discrimination based on sexual orientation and gender identity or expression.

TAKING NOTE that the specific human rights violations and abuses commonly suffered by intersex persons may involve irreversible sex assignment and genital modification surgeries, without informed consent; non-consensual sterilization; excessive and/or coercive submission to medical examinations, photographs and exposure of the genitals; lack of access to medical information and medical history; delays in birth registration; denial of services or health insurance, among others.

TAKING NOTE of the work and contributions of the IACHR’s Office of the Rapporteur for the Rights of LGBTI Persons and, in particular, its reports “Violence against lesbian, gay, bisexual, trans and intersex persons in America,” of November 2015, and “Progress and challenges towards the recognition of the rights of LGBTI persons in the Americas,” of December 2018, of the Working Group of the Protocol of San Salvador (GTPSS) and of the Department of Social Inclusion of the Secretariat of Access to Rights and Equity;

REAFFIRMING the authority of member states to implement their national policies in accordance with the principles defined by their respective national constitutions in accordance with universally recognized international human rights law;

RESOLVES:

1. To Condemn violations and abuses of human rights, which involve discrimination, speeches and manifestations of hatred, incitement and acts of violence motivated by prejudice against persons because of their sexual orientation, gender identity or expression, or their sexual characteristics that occur in the Hemisphere, and to uphold their obligations under relevant international law including, if applicable, the American Convention on Human Rights.

2. To urge member states to continue strengthening their institutions and public policies to eliminate the barriers faced by LGBTI persons in the enjoyment of their human rights and fundamental freedoms, as well as to adopt measures focused on preventing, investigating, and punishing acts of violence and discrimination against persons based on their sexual orientation, their gender identity or expression, or their sexual characteristics; and to ensure that victims of violence and discrimination have access to justice under conditions of equality.

3. To urge member states to take urgent measures to promote the full enjoyment of all the rights of LGBTI persons, including equality before the law, as well as to generate institutional mechanisms to support their families.

4. To urge member states to adopt measures that ensure effective protection for intersex persons and to implement policies and procedures, as appropriate, that guarantee that medical practices with respect to intersex persons respect human rights.

5. To instruct the Permanent Council to organize, with existing resources and in coordination with the Secretariat for Access to Rights and Equity, an extraordinary session on “Human rights and prevention of discrimination and violence against LGBTI persons in the Americas” with special attention to the situation of trans persons.

6. Request from the IACHR a follow-up report on the 2015 Violence against LGBTI persons report, and that in collaboration with other bodies and agencies, such as the Pan American Health Organization (PAHO), report about the situation of degrading medical practices, especially in relation to intersex people.

xx. Strengthening of the Inter-American Commission of Women for the promotion of gender equity and equality and the human rights of women [[22]](#footnote-23)/ [[23]](#footnote-24)/ [[24]](#footnote-25)/[[25]](#footnote-26)

RECALLING section xvi of resolution AG/RES. 2941 (XLIX-O/19), “Promotion and Protection of Human Rights,” the “Declaration of Santo Domingo on Equality and Autonomy in the Exercise of Women’s Political Rights for the Strengthening of Democracy,” the Declaration of Lima on Equality and Autonomy in the Exercise of Women’s Economic Rights, and resolution CP/RES. 1149/20 (2278/20) on “Women’s Representation and Participation in the OAS”,

RESOLVES:

 1. To support the efforts of the Inter-American Commission of Women (CIM) to meet its objectives and discharge the functions described in its Strategic Plan and Triennial Program of Work by working to address topics of particular concern, especially: (i) the promotion of greater representation of women in all their diversity in accordance with national laws in positions of leadership and decision-making processes, and in all spheres of life, especially political and economic life, including within the OAS; (ii) the advancement and protection of the economic autonomy of all women, adolescents and girls, particularly the formulation of recommendations and crafting of tools to address the global care emergency, which affects them disproportionately, and to achieve social co-responsibility in families, communities, business, and the State; (iii) the design of comprehensive policies for prevention, assistance, and eradication of gender-based violence; (iv) the strengthening of National Mechanisms for the Advancement of Women; (v) the highlighting of vulnerability and the empowerment of specific groups of women who face gender-based discrimination along with interconnected social, economic, and other conditions, including those that may result in vulnerability; and (vi) follow-up on the Inter-American Program on the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP), particularly with respect to gender mainstreaming in all OAS activities, as well as the work done by the Universal Civil Identity Program in the Americas (PUICA).

2.To request the CIM to continue advancing its efforts to analyze and address the disparate impacts on all women, adolescents, and girls who face gender-based discrimination along with interconnected social, economic and other conditions, including those that may result in vulnerability, with a gender and human rights perspective, and to generate knowledge, build capacities, and create opportunities for dialogue and the sharing of information and experiences among States with other key actors, with a view to strengthening the response to the pandemic.

3. To reaffirm the importance of providing the CIM with economic resources, within the funds available in the Organization, to enable it to fulfill its mandates and to encourage member states, permanent observers, and other entities to make voluntary and specific contributions.

xxi. Strengthening the Follow-up Mechanism on the Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (MESECVI) [[26]](#footnote-27)/ [[27]](#footnote-28)/[[28]](#footnote-29)/[[29]](#footnote-30)/

RECALLING Section xiv of resolution AG/RES. 2941 (XLIX-O/19), “Promotion and Protection of Human Rights,” the obligations under the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará); the agreements resulting from the Conference of States Party the recommendations of the]Committee of Experts, as organs of the Follow-up Mechanism to that Convention (MESECVI); and the 2018-2023 Strategic Plan of the MESECVI, and other pertinentdocuments and mandates,

RESOLVES:

1. To reaffirm its commitment to strengthening the Follow-up Mechanism on the Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” (MESECVI) and support the efforts by its Committee of Experts to follow up on the full implementation of the Convention of Belém do Pará by the States Party; to facilitate the creation of tools and to bolster training processes and technical support to the States Party and civil society considering policies that offer the highest levels for protection of the human rights of women in all their diversity in accordance with national laws in the context of the COVID-19 pandemic and its specific consequences for women, particularly those in situations of vulnerability.

2.To continue promoting, in the Final Phase of the MESECVI Third Multilateral Evaluation Round,theimplementation of the relevantrecommendations derived from national and hemispheric reports,and taking note of the general declarations and recommendations of the MESECVI, as well as continuing to compile data, adapting national legal systems and public policies, taking model laws into account when deemed relevant, for preventing and eradicating violence and all the multipleforms of gender-based discriminationagainstall women along with interconnected social, economic, and other conditions, including those that may result in vulnerability, and be able to obtainadequate budgets for their implementation, taking available resources into account.

3*.*To provide care and guarantee access to justice for women victimsof violence, along with reparation of their rights, as appropriate,with particular attentionto the diversity of women in the region, in keeping with national laws,with a gender equality and human rights approach.[[30]](#footnote-31)/

4.Take note ofthe document entitled “Violence against Women and the Measures to Contain the Spread of COVID-19,” published by the Inter-American Commission of Women (CIM) and the Follow-up Mechanism to the Convention of Belém do Pará (MESECVI) in July 2020**,** focused on Latin America with a view to identifying the new challenges derived from the pandemic that have a differential impact on womenand girls, the new patterns of violence that have emerged, and States’ efforts to combat them; and to urge states to prioritize prevention and the response to gender violence, as well as the equalparticipation of women in decision-making with regard to all COVID-19 related actions particularly in the post-pandemic context.

5. To instruct the CIM and the MESECVI to continue analyzing the specific impacts that the COVID-19 pandemic has had on the women and girls that is, to identify the new challenges derived from the pandemic that have a differential impact on women and girls, the new patterns of violence that have emerged, member states’ efforts to combat them and the participation of women in decision-making with regard to all COVID-19 related actions, with specific focus on the Caribbean member states.

6. To encourage member states, permanent observers, and other entities to make voluntary and specific contributions, as established by the States Party in their Statute. Likewise, to reiterate the importance of ensuring that the Technical Secretariat of the MESECVI has sufficient human, technical, and financial resources within the funds available in the Organization to function optimally, pursuant to the permanent mandates of the MESECVI.

xxii. Follow-up on the American Declaration on the Rights of Indigenous Peoples and on the Plan of Action of the American Declaration on the Rights of Indigenous Peoples (2017-2021)

BEARING IN MIND the American Declaration on the Rights of Indigenous Peoples and the Plan of Action on the American Declaration on the Rights of Indigenous Peoples (2017-2021); resolution AG/RES. 2898 (XLVII-O/17), “2019, International Year of Indigenous Languages”; and resolution AG/RES. 2934 (XLIX-O/19), “Effective Participation of Indigenous Peoples and People of African Descent in Organization of American States Activities”;

HIGHLIGHTING resolution A/RES/74/135 of December 18, 2019, adopted by the United Nations General Assembly, which proclaims the period 2022–2032 as the International Decade of Indigenous Languages, to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize, and promote indigenous languages and to take urgent steps at the national and international levels, and invites the United Nations Educational, Scientific and Cultural Organization to serve as the lead agency for the International Decade, in collaboration with the Department of Economic and Social Affairs of the Secretariat, and other relevant agencies, within existing resources, for which purpose the High-Level Event “Making a decade of action for indigenous languages” was held in Mexico City on February 27 and 28, 2020, with the participation of, *inter alia*, indigenous representatives from various parts of the world, the UN Permanent Forum on Indigenous Issues, and UNESCO, and which issued the “Los Pinos Declaration (Chapoltepek): Making a Decade of Action for Indigenous Languages,” which includes the key principles, strategic directions, thematic considerations, and implementation guidelines;

APPLAUDING the holding of the Second and Third Inter-American Weeks for Indigenous Peoples in the Americas and of a joint special meeting of the Permanent Council and the Inter-American Council for Integral Development to commemorate the International Year of Indigenous Languages further to resolution AG/RES. 2898 (XLVII-O/17), “2019, International Year of Indigenous Languages” and the Plan of Action of the American Declaration on the Rights of Indigenous Peoples (2017-2021); and

APPLAUDING ALSO the holding of the Regional Congress on Indigenous Languages for Latin America and the Caribbean in Cusco, Peru, from September 25 to 27, 2019,

RESOLVES:

1. To urge the member states, the General Secretariat, and the institutions of the OAS to take all the necessary steps to implement the American Declaration on the Rights of Indigenous Peoples and the Plan of Action on the American Declaration on the Rights of Indigenous Peoples (2017-2021).

2. To urgemember states and permanent observers to contribute to the Voluntary Contributions Specific Fund to support implementation of the American Declaration on the Rights of Indigenous Peoples and the Plan of Action on the American Declaration on the Rights of Indigenous Peoples (2017-2021).

3. To continue to entrust the General Secretariat, with organizing a meeting of high-level authorities of member states responsible for policies toward indigenous peoples, with ample and effective participation of representatives of the Indigenous peoples of the Americas and other international and regional agencies, to promote opportunities for dialogue on challenges in connection with the rights of indigenous peoples and to consider options for the mandate, format, and costs of the potential mechanism for institutional follow-up of the American Declaration on the Rights of Indigenous Peoples as set forth in its Plan of Action (2017-2021).

4. To reiterate the importance of coordination and cooperation among member states, in order to continue supporting the holding of activities to commemorate Inter-American Week for Indigenous Peoples in the Americas.

5. To promote the highest possible level of protection for the rights of indigenous peoples in the region, including the individual and collective right to the enjoyment of physical and mental health, as well as to ensure access, without discrimination, to all services, including health care. Likewise, to promote actions so that inclusive rights-focused responses to COVID-19 respect and protect the rights of Indigenous peoples.

6. To promote and protect the rights of the indigenous peoples in the framework of member states’ international human rights obligations, against actions of organized crime that could worsen their vulnerability, particularly in the context of the COVID-19 pandemic.[[31]](#footnote-32)/[[32]](#footnote-33)/[[33]](#footnote-34)/

xxiii. Observations and recommendations on the 2019 Annual Reports of the Inter-American Commission on Human Rights and Inter-American Court of Human Rights [[34]](#footnote-35)/

RECOGNIZING the work of the IACHR and the Inter-American Court of Human Rights in fulfilling their functions in response to alleged human rights violations,

RESOLVES:

1. To reaffirm the commitment of the member states to the inter-American human rights system.

2. To encourage those member states that have not yet done so to consider signing, ratifying, or acceding to all the inter-American human rights instruments, particularly the American Convention on Human Rights.

3. To reaffirm the importance that the IACHR and the Inter-American Court of Human Rights have sufficient economic resources, taking into account available OAS resources, to carry out their mandates.

II. FOLLOW-UP AND REPORTING

RESOLVES:

 1. To instruct the General Secretariat to submit in due course, through the areas responsible for follow-up and execution of activities in connection with the purposes of this resolution, the plan of activities that it will carry out in the 2020-2021 period, for consultation or proper oversight by member states.

2. To request the Permanent Council to instruct the CAJP to include in its agenda the following matter covered by this resolution, prior to the fifty-first regular session of the General Assembly with a view to promoting exchanges of experiences and best practices:

“Autonomous official public defenders as a safeguard for the human rights of all, without discrimination, especially indigenous peoples.” The holding in the first quarter of 2021, of a ninth special meeting of the CAJP on good practices employed by each official public defender institution in the region for ensuring access to justice for indigenous peoples in defense of human rights, to be attended by the member states and their respective official public defender institutions that provide legal assistance, members of the AIDEF, and experts from the academic community, civil society, and international organizations. Attendance by members of the AIDEF will be guaranteed by that organization.

 3. To request the Permanent Council to report to the General Assembly at its fifty-first regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.

Footnotes

10. … Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), which was opened for signature in New York City on September 27, 2018.

21. … Barbados would not be in a position to meet these requirements. However, the Government of Barbados remains committed to protecting the rights of all from harm and violence, in keeping with the rule of law and the provisions of its Constitution.

34. … the one that has most rapidly reduced poverty and inequality, the one with the greatest access to health and quality education, the one with the highest average multi-year growth, and one of the five countries with the highest gender parity in the world. With regard to gender equality, the UN Women Report of October 4, 2019, published a list of the 10 countries with the best gender balance in the world, on which Nicaragua ranked third. In 2007, Nicaragua ranked 90th in the gender gap index. In 2018 and 2019, it ranked fifth in the world after the Nordic countries in the same index. With those results, Nicaragua is ahead of all European, developed, Central American, and Caribbean countries, with the exception of the Nordic countries. Nicaragua is a country that loves peace and security and respects the principles of international law and the right of every nation to resolve its internal affairs without external interference of any kind. With regard to the annual report of the Inter-American Commission on Human Rights, it insists on maintaining double standards in its treatment of human rights in the region, which undermines its impartiality and credibility. In relation to Nicaragua, its approach continues to be far removed from reality, with a one-sided and biased vision, inasmuch as it minimizes the criminal actions of the terrorist groups that sow fear in the civilian population, whose actions, which the IACHR describes as supposed “peaceful protests,” were aimed at breaking the constitutional order. They repeat without verification fake news against the State of Nicaragua, making irresponsible and careless accusations without any evidence, despite the objective clarification reports that the State has consistently provided to the IACHR.

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1. . Jamaica will present a footnote. [↑](#footnote-ref-2)
2. . Saint Lucia will present a footnote. [↑](#footnote-ref-3)
3. . The United States will present a footnote. [↑](#footnote-ref-4)
4. . The United States will present a footnote. [↑](#footnote-ref-5)
5. . The United States will present a footnote. [↑](#footnote-ref-6)
6. . The United States will present a footnote. [↑](#footnote-ref-7)
7. . Brazil joins the consensus, on the understanding that the expression "environmental rights," despite not being present in the Protocol of San Salvador, refers to the obligations of states regarding the right to a healthy environment, as provided in Article 11 of that treaty. [↑](#footnote-ref-8)
8. . Costa Rica will present a footnote. [↑](#footnote-ref-9)
9. . Guatemala will present a footnote. [↑](#footnote-ref-10)
10. . With respect to operative paragraph No. 3 of this section, by virtue of the reasons set out before the National Congress and the Chilean public opinion, the Republic of Chile has not signed the Regional... [↑](#footnote-ref-11)
11. . The United States will present a footnote. [↑](#footnote-ref-12)
12. . Report on Global Trends in Forced Displacement in 2019, p. 75, UNHCR Available at: https://www.unhcr.org/globaltrends2019/ [↑](#footnote-ref-13)
13. . Jamaica will present a footnote. [↑](#footnote-ref-14)
14. . Trinidad and Tobago will present a footnote. [↑](#footnote-ref-15)
15. . Paraguay will present a footnote. [↑](#footnote-ref-16)
16. . Saint Lucia will present a footnote. [↑](#footnote-ref-17)
17. . Guatemala will submit a footnote. [↑](#footnote-ref-18)
18. . The Republic of Honduras declares its commitment to human rights and international conventions and, with respect to the provisions contained in this resolution, expresses its reservations regarding those articles that are contrary to the Constitution of the Republic of Honduras. [↑](#footnote-ref-19)
19. . Suriname will present a footnote. [↑](#footnote-ref-20)
20. . Saint Vincent and the Grenadines will present a footnote. [↑](#footnote-ref-21)
21. . The Government of Barbados states that this section of the resolution contains a number of issues and terms which are neither reflected in its national laws nor the subject of national consensus. As such, … [↑](#footnote-ref-22)
22. . Jamaica will present a footnote. [↑](#footnote-ref-23)
23. . The United States will present a footnote. [↑](#footnote-ref-24)
24. . Paraguay will present a footnote. [↑](#footnote-ref-25)
25. . Guatemala will present a footnote. [↑](#footnote-ref-26)
26. . Jamaica will present a footnote. [↑](#footnote-ref-27)
27. . The United States will present a footnote. [↑](#footnote-ref-28)
28. . Paraguay will present a footnote. [↑](#footnote-ref-29)
29. . Guatemala will present a footnote. [↑](#footnote-ref-30)
30. . The United States will present a footnote. [↑](#footnote-ref-31)
31. . Mexico will present a footnote. [↑](#footnote-ref-32)
32. . El Salvador will present a footnote. [↑](#footnote-ref-33)
33. . The United States will present a footnote. [↑](#footnote-ref-34)
34. . Reservation of Nicaragua regarding IACHR Annual Report, Chapter IV. B. “Nicaragua has been internationally recognized for its vocation for peace and for being the safest country in the region, … [↑](#footnote-ref-35)