

AG/RES. 2961 (L-O/20)

PROMOTION AND PROTECTION OF HUMAN RIGHTS<sup>1/2/3/</sup>

(Adopted at the fourth plenary session, held on October 21, 2020)

THE GENERAL ASSEMBLY,

REAFFIRMING the norms and general principles of international law and those contained in 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, July 2019 – October 2020” (AG/doc.5691/20 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 under the purview of the CAJP help further the essential purposes of the Organization enshrined in the Charter of the OAS;

i. Protecting human rights in the context of the COVID-19 pandemic<sup>4/</sup>

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, as well as the guidelines on the human rights of persons with COVID-19 and resolution CP/RES. 1151 (2280/20) of the Permanent Council;

UNDERSCORING the challenges that the States of the Americas encounter in implementing urgent and necessary measures to deal with the emergency caused by the COVID-19 pandemic, renewing their conviction about the need to adjust such measures, in particular those that entail

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1. The Government of Saint Lucia supports all efforts aimed at the promotion and protecting of the rights of all citizens and remains committed to its obligations under the Universal Declaration of Human ...
  2. Antigua and Barbuda considers that the Bolivarian Republic of Venezuela is not a member state of the Organization of American States since, on April 27, 2017, the Government of the Bolivarian ...
  3. Mexico reiterates the position articulated in its statement during the report of the Secretary General on Credentials at the plenary session of the fiftieth regular session of the General Assembly.
  4. The United States notes that this resolution references “rights” that do not exist in customary international law or in any treaties to which the United States is party - for example, the “right to the ...

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 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 historically 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 of health care services, products, and facilities, including medicines and the benefits of scientific progress in this area, on an equal footing and without discrimination; and

UNDERSCORING that every individual with COVID-19 has a right to the highest attainable standard of health and may experience adverse effects and limitations on other ESCERs, and that, against such a backdrop, negative impacts or restrictions on their ESCERs 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 rights and the preservation of health, a human-rights focus and a 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 historically subjected to discrimination.

2. To promote and protect the enjoyment and exercise of human rights, including 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 by States as regards measures adopted in the context of the pandemic with a human-rights focus and a gender perspective in order to effectively and humanely improve epidemiological responses, including to seek and promote accessibility and affordability –in a participatory, transparent, non-discriminatory way and with the widest possible geographical coverage– of medicines, treatments, vaccines, quality goods, services, information, and technological-scientific knowledge or applications 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, as well as Permanent Council resolution CP/RES. 1149 (2278/20), “Women’s Representation and Participation in the OAS,” of March 12, 2020; 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 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 also to consolidate regional geographic representation and an appropriate balance of the 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 “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 (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 global #Ibelong 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 supporting 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 and increase 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<sup>5/</sup>

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 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 that 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 strengthening their civil registration systems in order to promote the protection and upholding of the right to identity, the universal registration 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 protection for all human rights, particularly those of

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5. The United States notes that the first preambular paragraph of this section references several "rights" that do not exist in customary international law or in any treaties to which the United States is party. ...

populations that are vulnerable, displaced, and/or historically subject to discrimination, as well as to 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 access for 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 a 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 the promotion, observance, and protection of 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 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 in defense of human rights with the proper safety, particularly to 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, either directly or indirectly, human rights defenders from safely performing their activities, including during the COVID-19 pandemic.

vi. Rights of children and adolescents

CONSIDERING the focus on children and adolescents by the Inter-American Children's Institute (IIN) as regards their situation 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 perspective into 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 OAS 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 member states, in the face of the COVID-19 pandemic, to strengthen the measures necessary to guarantee children and adolescents their rights 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 poverty with the necessary means to enjoy their right to a decent and adequate standard of living.<sup>6/</sup>

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 the promotion, protection, and effectively exercise of the human rights of children and adolescents.

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

5. To instruct the General Secretariat, in consultation with the member states and with the Inter-American Children's Institute (IIN) and other OAS relevant bodies, to conduct a hemispheric analysis on prevention, eradication, and punishment of abuse and all forms of violence against children and adolescents with a view, among other things, to considering 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 (CAJP).

6. To urge member states to strengthen cooperation for protecting children and adolescents, as well as for promoting and guaranteeing their rights, especially in crises and humanitarian emergencies that could exacerbate their vulnerable situation.

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6. The United States protects and promotes the rights of the child. However, the United States notes that countries have a wide array of policies and actions that may be appropriate in promoting the ...

vii. Persons who have disappeared and assistance to members of their family<sup>7/</sup>

REAFFIRMING the responsibility of member states 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, situations of armed violence, migration, or natural disasters, in order to address their various needs and to satisfy their right to the truth, justice and, as appropriate, reparation for the harm caused,

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 adopt measures, including laws, protocols, guidelines, and other national provisions of a legal and institutional nature, in order to:

- a. 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;
- b. 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 or, in the event that they are deceased, identifying them and returning their remains to their families, where possible, and promoting national coordination and regional cooperation on technical, judicial, and consular assistance;
- c. 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 give priority to the humanitarian objectives of recovery, identification, return, and dignified disposal of human remains, while at the same time complying with the obligations to investigate, prosecute, and punish the parties responsible for the disappearances;
- d. Meet the needs of family members as regards access to information about possible causes of the disappearance of their loved ones, including knowing the truth about what happened to them; conducting a search, recovering the remains in the event of death, and returning them; and resolving legal and administrative problems through comprehensive and affordable domestic legal processes that recognize the legal status of missing persons;
- e. Adopt the necessary measures to preserve the traceability and ensure the dignified treatment of the human remains of deceased persons, whether identified or unidentified, or as yet unclaimed, as well as post-mortem

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7. The United States is not party to the International Convention for the Protection of All Persons from Enforced Disappearance or to the Inter-American Convention on Forced Disappearance of Persons. ...

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;

- f. 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;
- g. Guarantee the participation and representation of victims and their family members at the relevant proceedings, as well as 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;
- h. Strengthen technical skills involved in the search, recovery, and analysis of human remains and associated evidence, as well as the use of various forensic sciences;
- i. 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;
- j. 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 their family members;
- k. 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 persons who have disappeared; and
- l. Promote, as necessary, within the organizational structure of forensic agencies and disappeared persons search offices, procedures to manage the records of unidentified and unclaimed deceased persons, compare information on missing persons with that of deceased persons, and 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 Enforced Disappearance and implement them in domestic system of laws; recognize the

competence of the Committee on Enforced Disappearances; share experience and best practices; strengthen international cooperation and exchanges of information; and 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 taking up 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 CAJP to ensure that information is circulated prior to the fifty-second regular session of the 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 members;

CONCERNED by the serious crisis associated with the COVID-19 pandemic that has created 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; and

RECOGNIZING the contribution of the Office of the Special Rapporteur on Economic, Social, Cultural, and Environmental Rights, on behalf of the Inter-American Commission on Human Rights, to the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador, and taking note of its reports,

RESOLVES:

1. To commend the commitment and efforts of the States Parties 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 Parties 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 Periodic Reports of the States Parties to the Protocol of San Salvador, as defined in Article 80 of the General Standards to Govern the Operations of the General Secretariat and other provisions of the Organization; to call on States Parties 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 this mechanism.

3. To urge the WGPSS to strengthen support in the area of training and technical assistance for 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,<sup>8/</sup> in particular for historically discriminated and vulnerable groups, as well as, when so requested, in the process of preparing national reports and in following up on the observations of the WGPSS.

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

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8. 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 ...

RESOLVES:

1. To extend this mandate so that the above special meeting is held prior to the fifty-first regular session of the General Assembly.

2. To recommend that in addition to taking its lead from section xi of resolution AG/RES. 2941 (XLIX-O/19), the proposed special meeting also take into account the growing appreciation of the importance and complexity of inclusion, especially with regard to the COVID-19 impacts and responses and the troubling problems of racial discrimination.

xi. Right to freedom of conscience and religion or belief

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

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 of 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 special meeting of the CAJP of February 20, 2020, in which member states shared lessons learned and exchanged good practices to advance the goals of resolution AG/RES. 2941 (XLIX-O/19);

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

NOTING that Article 12 of the American Convention on Human Rights states: “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;<sup>9/10/</sup> and

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

RESOLVES:

1. To protect the right of everyone 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, as well as the freedom, whether individually or in community with others, in public or in private, to profess a religion or belief through worship, observance, practice, or 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, *inter alia*, when aimed at religious believers for their faith, in accordance 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 peacefully and safely to practice their faith individually or in 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 Convention on Human Rights, as appropriate, and Article 18 of the International Covenant on Civil and Political Rights.

4. To encourage the technical and autonomous bodies of the OAS 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 member states, so that, in the context of the proposed special meeting, States may exchange opinions on the study, with a focus on the promotion of freedom of religion and conscience without any distinction.

5. To request that the General Secretariat follow up on the mandates contained in resolution AG/RES. 2941 (XLIX-O/19) by organizing a regional dialogue on the right to freedom of conscience and religion or belief, ideally as a follow-up to International Religious Freedom Day on October 27, with input from member states, the Inter-American Commission on Human Rights, and other religious and civil society actors in order to discuss best practices, including protecting places of worship; and to request the CAJP 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.

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9. Costa Rica places on record its position with respect to the sixth preambular paragraph of this section. In Costa Rica, freedom of worship is guaranteed in Article 75 of the Political Constitution and in ...

10. The delegation of Bolivia joins the consensus on the resolution, noting that it views this as an appropriate reflection of international human rights law, without involving these rights being ...

xii. Situation of Afro-descendent populations in the Hemisphere and racism<sup>11/</sup>

RECOGNIZING the important contributions of Afro-descendent persons and communities – particularly those of Afro-descendent 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 result of the scourges of racism and xenophobia, and of the lingering traces of slavery, which manifest themselves in a differentiated manner for women, increasing poverty, violence, and the deterioration of their living standards; as well as the importance of eliminating structural barriers to economic and social development for people of African descent and of having data disaggregated by ethnicity;

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 “San José Commitment,” adopted on October 18, 2019, in San José, Costa Rica, by which a group of States of the Hemisphere defined priority actions aimed at eliminating inequality gaps and attending to the problems of education, health, employment, and development that affect people of African descent; 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 have a disproportionate impact on the Afro-descendent population in the region, due to situations of greater vulnerability than the general population, given the obstacles they face in accessing public health services, the greater prevalence of chronic medical conditions, less access to State social safety nets, and the high rate of labor informality, among other factors,

RESOLVES:

1. To condemn all forms of racism and discrimination against people of African descent in the Hemisphere, while recognizing that this continues to be a reality that limits their economic and social well-being, and that States should unite efforts to combat and eradicate it.<sup>12/</sup>

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 people and communities of African descent in conditions of dignity, equality and nondiscrimination.

3. To urge member states to advance in their fulfillment of the targets and commitments of the Plan of Action for the Decade for People of African Descent in the Americas (2016–2025) and 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 –taking into account gender perspective and the dimension of intersectionality– when designing and implementing public policies to address

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11. The State of Guatemala declares that it promotes and defends the human rights recognized in international treaties for all of its citizens, in accordance with the provisions of the ...

12. The United States understands that efforts to eradicate racism and discrimination should be consistent with States’ international human rights obligations and commitments, including with respect to ...

the challenges faced by people of African descent, particularly women, with respect to employment and access to health, housing, and education, with the goal of eliminating the inequalities that they suffer and to address the serious social and economic consequences expected in the wake of the pandemic.

4. To instruct the Department of Social Inclusion of the Secretariat for Access to Rights and Equity of the General Secretariat, in the framework of its function of monitoring and implementation of the Plan of Action for the Decade for People of African Descent in the Americas (2016–2025), to prepare a regional report on the situation of people of African descent and on progress in the implementation of the Plan of Action, which will be presented at a special meeting of the Permanent Council of the OAS in the context of the IV Inter-American Week for People of African Descent in the Americas in 2021.

5. To invite 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 of ratifying those instruments.

6. To invite member states to consider the possibility of joining 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 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), and the “Practical Guide to Inclusive Rights-Focused Responses to COVID-19 in the Americas,” published by the Organization on April 7, 2020, in particular its Chapter VIII titled “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, which 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 Articles XXII (3) and 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, *inter alia*, to guarantee hygienic conditions and effective access to health care for this vulnerable group.<sup>13/</sup>

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13. In the United States, defendants charged with felonies or misdemeanors that could result in imprisonment and juvenile defendants have a right to appointed counsel at government expense if ...

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 perspective 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<sup>14/</sup>

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 renew the mandate requesting the Permanent Council to include the topic “Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean” at one of its regular meetings and to invite the Inter-American Commission on Human Rights (IACHR) and the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador 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 topic at one of its meetings, in addition to the provisions of section vii of resolution AG/RES. 2941 (XLIX-O/19), ponder including consideration of the impact of environmental issues, including climate change, on poverty and the enjoyment of human rights, and on the life of all species on the planet, including human beings, taking into account post-pandemic economic reconstruction plans.

3. To urge once again 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 right to 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 the Office of the Rapporteur on the Rights of Older Persons;

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14. 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 ...

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, and non-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 certain other 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 with 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 with other generational groups in the context of the COVID-19 pandemic,

RESOLVES:

1. To encourage member 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 member 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, thereby facilitating their access to public and private services, in order to promote the enjoyment of the highest attainable standard of physical, mental, and social well-being, without discrimination.

3. To encourage member states to ensure preferential care 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 IACHR, subject to its available resources, to prepare a report on the situation of human rights 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 member 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) 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 terms of health, economic situation, education, and social protection, among other areas, aggravating pre-existing barriers as regards 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 International Day of Persons with Disabilities at the meeting of the Permanent Council of December 11, 2019, in which the human rights of persons with intellectual and psychosocial disabilities were considered,

RESOLVES:

1. To urge member states to consider the situation of structural discrimination, as well as physical and attitudinal barriers faced by 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 they can exercise their rights on an equal basis with others and without discrimination, in line with the objectives set out in the Convention for the Elimination of All Forms of Discrimination against Persons with Disabilities (CIADDIS) and the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities 2016-2026 (PAD), among other international instruments on the subject.

2. To urge member states to take steps to ensure that persons with disabilities enjoy access to telework on an equal footing with other workers, so that they can continue to meet their economic needs, like their peers, and, to that end, to urge member states and employers to provide conditions enabling access to telework for persons with disabilities on an equal basis with others.

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

4. To invite member states to establish, promote, and implement policies for the provision of timely care, equal 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 to 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)], established in order to supplement financing for the activities of CEDDIS and its Technical Secretariat, as well as to encourage the States Parties to make every effort to implement the recommendations put forward by CEDDIS in its evaluations, by sphere of activity, of national reports on implementation of the 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 instruct 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 member states, disseminating and promoting the rights of this group, nondiscrimination, and their full participation in all areas of society; and to 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-based perspective.

7. To encourage member states and permanent observers to contribute to the specific fund of voluntary contributions to support the implementation of the PAD and the management of the Joint Working Group to follow up on the implementation of said instrument.

8. To invite member states and the General Secretariat to mark International Day of Persons with Disabilities, which falls annually on 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 activities promoted by the Organization, that they 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

HIGHLIGHTING the importance of the Brazil Plan of Action adopted on December 3, 2014, as the strategic framework for protection of refugees, asylum seekers, 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 at 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, 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 MIRPS on November 8, 2019; as well as the presentation of the “II Annual Report of the Regional Comprehensive Protection & Solutions Framework (MIRPS) 2019” 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 1.9 million people were seeking asylum,<sup>15/</sup> 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, all 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 the Office of the United Nations High Commissioner for Refugees (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; and to invite the member states concerned to fulfill the commitments made at 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; strengthening of systems for case referral, biometric registration, and digital processing of applications; 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; and 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 States concerned, along with regional initiatives to foster training and exchanges of best practices among national committees for refugees (CONAREs), identification of at-risk-person profiles using country-of-origin information, sharing of best practices via a regional digital platform, and dissemination of a regional model for determining refugee status.

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15. Report on Global Trends in Forced Displacement in 2019, p. 75, UNHCR Available at: <https://www.unhcr.org/globaltrends2019/>

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 General Secretariat and UNHCR; 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 CAJP to follow up on this resolution and to report each year on its implementation.

5. To underscore the adoption of resolution CP/RES. 1154 (2286/20), establishing the Comprehensive Regional Protection and Solutions Framework Fund (MIRPS Fund), and to urge member states, permanent observers, and other donors to make voluntary contributions to that 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 MIRPS Support Platform 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.<sup>16/</sup>

8. To invite member states to provide humanitarian assistance and to seek and adopt protection measures and 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 on 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 Recommendations Monitoring System (Inter-American SIMORE), an online application that collects the recommendations formulated by the IACHR through different mechanisms and thus establishes a channel for exchanging and receiving information on follow-up on recommendations in member states,

RESOLVES:

To take note of the importance of the Inter-American Recommendations Monitoring System (Inter-American SIMORE) of the IACHR for strengthening follow-up on recommendations to promote

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16. The United States recalls that such measures should be consistent with States' human rights obligations and commitments, including with respect to freedom of expression.

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 <sup>17/18/19/</sup>  
<sup>20/21/22/23/24/25/</sup>

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, especially 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 in both public and private contexts 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, *inter alia*, 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 genitalia; lack of access to medical information and medical histories; delays in birth registration; and denial of services or health insurance;

TAKING NOTE ALSO of the work and contributions of the Office of the Rapporteur for the Rights of LGBTI Persons of the IACHR and, in particular, its reports “Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas” of November 2015 and “Advances and

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17. The Government of Jamaica reiterates its commitment to respecting and promoting human rights, and to protecting and upholding the human rights of all its citizens, including from any form of ...
  18. Trinidad and Tobago is unable to join the consensus on this section due to a conflict with existing domestic legislation. The Government of Trinidad and Tobago remains firmly committed to ...
  19. The Republic of Paraguay reiterates its commitment to the principles of the Universal Declaration of Human Rights and the international conventions it has signed on the subject, and it reaffirms the ...
  20. The Government of Saint Lucia remains committed to its obligations under the Universal Declaration of Human Rights and related international conventions to which Saint Lucia is signatory. ...
  21. See footnote 10.
  22. 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 ...
  23. The Government of Suriname remains committed to promote and defend the human rights and fundamental freedoms for all. In conformity with relevant stipulations of our Constitution and ...
  24. Saint Vincent and the Grenadines is unable to join consensus on the approval of this section of the resolution. Saint Vincent and the Grenadines promotes and defends human rights and reaffirms the ...
  25. 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 ...

Challenges towards the Recognition of the Rights of LGBTI Persons in the Americas” of December 2018, as well as those of the Working Group to Examine the Periodic Reports of the States Parties to the Protocol of San Salvador (WGPSS) and of the Department of Social Inclusion of the Secretariat for Access to Rights and Equity; and

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 that involve discrimination, speech and manifestations of hatred, incitement and acts of violence motivated by prejudice against persons by reason of their sexual orientation, gender identity or expression, or sexual characteristics that occur in the Hemisphere, in accordance with relevant international law, including, as 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 lesbian, gay, bisexual, trans and intersex (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, gender identity or expression, or 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, a special meeting 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. To request from the IACHR a follow-up report on “Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas” (2015) and that, in collaboration with other bodies and agencies, such as the Pan American Health Organization, it report on 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<sup>26/27/28/</sup>

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), “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) 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) 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) design of comprehensive policies for prevention, assistance, and eradication of gender-based violence; (iv) strengthening of National Mechanisms for the Advancement of Women; (v) highlighting of vulnerability and 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 experience among States and other relevant 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.

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26. The Government of the Republic of Paraguay does not endorse the “Declaration of Santo Domingo on Equality and Autonomy in the Exercise of Women’s Political Rights for the Strengthening of ...

27. See footnote 10.

28. The Government of Saint Lucia supports all efforts aimed at the promotion of gender equity and equality, and the human rights of all women and girls, as well as the elimination of discrimination of ...

xxi. Strengthening the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (MESECVI) <sup>29/30/31/32/</sup>

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 Parties and the recommendations of the Committee of Experts, as organs of the Follow-up Mechanism to that Convention (MESECVI); the 2018-2023 Strategic Plan of the MESECVI, and other pertinent documents and mandates,

RESOLVES:

1. To reaffirm its commitment to strengthening the Mechanism to Follow up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará” (MESECVI) and supporting the efforts of its Committee of Experts to follow up on the full implementation of the Convention of Belém do Pará by the States Parties; to facilitate the creation of tools and to bolster training processes and technical support to the States Parties and civil society, taking into account policies that offer the highest levels of protection for the human rights of women in all their diversity, consistent 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, the implementation of the relevant recommendations contained in national and hemispheric reports, taking note of the general declarations and recommendations of the MESECVI, as well as to continue compiling data; adapting national legal systems and public policies, taking model laws into account when deemed pertinent, for prevention and eradication of violence and all the multiple forms of gender-based discrimination against all women, along with interconnected social, economic, and other conditions, including those that may result in vulnerability; and seeking the allocation of adequate budgets for their implementation, taking available resources into account.

3. To provide care and ensure access to justice for women victims of violence, along with reparation of their rights, as appropriate, with particular attention to the diversity of women in the region, in keeping with national laws, with a gender-equality and human-rights approach.

4. To take note of the document “Violence against Women and the Measures to Contain the Spread of COVID-19” published by the Inter-American Commission of Women (CIM) and the MESECVI in July 2020 with a focus on Latin America and aimed at identifying the new challenges arising from the pandemic that have a differential impact on women and girls, new patterns of violence that have emerged, and States’ efforts to combat them; and to urge States to prioritize prevention and

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29. The United States cannot associate itself with this section of the resolution because the United States is not a party to the Convention of Belém do Pará. Nevertheless, the United States remains strongly ...

30. See footnote 25.

31. See footnote 10.

32. The Government of Saint Lucia supports all efforts aimed at the prevention, punishment and eradication of violence against women. Saint Lucia is committed to its obligations to the ...

the response to gender-based violence, as well as equal participation for women in decision-making on 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 women and girls; that is, to identify the new challenges arising from the pandemic that have a differential impact on women and girls, new patterns of violence that have emerged, member states' efforts to combat them, and participation for women in decision-making on all COVID-19-related actions, with a specific focus on Caribbean member states.

6. To encourage member states, permanent observers, and other entities to make voluntary and specific contributions, as established by the States Parties in the MESECVI Statute; and 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 in pursuit of 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 on 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 74/135 adopted on December 18, 2019, 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 (UNESCO) to serve as the lead agency for the International Decade, in collaboration with the Department of Economic and Social Affairs of the UN 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 on 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 member states, the General Secretariat, and the institutions of the OAS to take all 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 urge member 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 on indigenous peoples, with broad and effective participation by 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 on the American Declaration on the Rights of Indigenous Peoples, as envisaged 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 mark 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, within the framework of member states' international human rights obligations, the rights of indigenous peoples against organized-crime actions that could worsen their vulnerability, particularly in the context of the COVID-19 pandemic.<sup>33/34/35/</sup>

xxiii. Observations and recommendations on the 2019 annual reports of the Inter-American Commission on Human Rights and Inter-American Court of Human Rights<sup>36/</sup>

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,

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33. Mexico, as the proponent of the section "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 ...

34. El Salvador as a country has been characterized by its steadfast commitment to human rights and other basic principles for global coexistence, as set forth in the United Nations Charter and a variety of ...

35. The United States recalls the distinction between human rights, the beneficiaries of which are individuals, and collective rights, the beneficiaries of which are peoples. The United States further ...

36. 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, ...

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 experience 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 Inter-American Association of Public Defender Offices (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

1. ... Rights and related international conventions to which Saint Lucia is a signatory. Moreover, the Government of Saint Lucia is guided by the provisions of its Constitution, which promotes and protects the human rights, non-discrimination, and fundamental freedoms of all persons, and the preservation of the rule of law. All persons are provided the same level of protection in accordance with the constitution of Saint Lucia.

The Government of Saint Lucia places reservations on all provisions of this resolution that are contrary to its domestic law and those that its domestic laws do not address and will not be bound by any provisions within said provisions.

2. ... Republic of Venezuela properly notified the Secretary General of its denunciation of the Charter in accordance with Article 143 of the Charter of the Organization of American States, and the Charter ceased to be in force with respect to the Bolivarian Republic of Venezuela, which ceased to belong to the Organization on April 27, 2019.

Antigua and Barbuda did not support resolution CP/RES. 1124 (2217/19) of April 9, 2019, which sought to appoint Mr. Gustavo Tarre as the National Assembly's representative to the OAS, and it did not accept the credentials of the officials intending to represent the Bolivarian Republic of Venezuela at the forty-ninth and fiftieth regular sessions of the General Assembly.

Therefore, Antigua and Barbuda notifies all member states and the General Secretariat of the Organization of American States, as it did at the forty-ninth regular session of the General Assembly, that until further notice it will not consider itself bound by any declaration or resolution of the fiftieth regular session of the General Assembly or any future declarations or resolutions of any council or organ of the Organization that includes the participation of any person or entity purporting to speak for or act on behalf of the Bolivarian Republic of Venezuela and in which 18 votes are attained with the participation of a purported representative of the Bolivarian Republic of Venezuela.

4. ... highest level of health," the "rights and preservation of health," and "the right to health." The United States further understands that OAS General Assembly resolutions do not change the current state of conventional or customary international law. In that respect, the United States notes that international human rights law sets forth the conditions for permissible restrictions on certain human rights, including conformity with law and necessity in a democratic society for, *inter alia*, the protection of public health.

5. ... To the extent that such rights can be found in the American Declaration of the Rights and Duties of Man and/or the American Convention on Human Rights, the United States notes that the American Declaration is a non-binding instrument, and that the United States is not party to the American Convention. The United States further understands that OAS General Assembly resolutions do not change the current state of conventional or customary international law.

6. ... progressive realization of economic, social, and cultural rights. Moreover, the United States does not believe that a State's obligation to respect the right to life by law would extend to addressing general conditions in society or nature that may eventually threaten life or prevent individuals from enjoying the highest attainable standard of health. Further, the United States does not recognize a free-standing "right to food," or "right to housing." As set forth in the Universal Declaration of Human Rights, food and housing are components of the right to an adequate standard of living. Moreover, as noted in the Constitution of the World Health Organization, there is a "right to the enjoyment of the highest attainable standard of health," but not simply a "right to health."

7. ... The United States notes that the obligations articulated in this section apply only to States that have undertaken these obligations as parties to either convention, and that this resolution does not create any new rights or obligations.

8. ... right to a healthy environment, as provided in Article 11 of that treaty.

9. ... the American Convention on Human Rights.

Article 75 of the Political Constitution of Costa Rica recognizes the duty of the State to allow every person to exercise the religion of their choice but does not say that the State must provide religious education to all students; nor does this obligation derive from the provisions of international conventions. To be sure, international conventions recognize the right of parents or guardians to have their children or the persons under their guardianship receive a religious or moral education in accordance with their own convictions. However, those conventions do not give rise to a right vis-à-vis the State that would require it to provide all students with a religious education or, more precisely, an education in the religion of their choice. Currently the Ministry of Public Education of Costa Rica provides religious education in schools, but with the adoption of this resolution it would not consider itself obligated to provide a religious education –in accordance with the faith concerned– to all students who profess a religion.

10. ... categorically subordinated to the principle of non-discrimination or to the best interests of the child, as applicable.

11. ... Political Constitution of the Republic, and that it does not discriminate for any reason. It also believes that the legal non-recognition of same-sex unions or the reasoned refusal to modify the institution of marriage in its legislation do not constitute an illicitly discriminatory practice.

Likewise, we recognize the right of all persons to enjoy fundamental liberties, without requiring any alteration to the anthropological bases that are the foundation for our legal system as a whole. Accordingly, Guatemala disassociates itself from all those incompatible parts that contravene its domestic law and reserves the right to interpret the terms contained in sections xii, xix, xx, and xxi.

12. ... freedom of expression.

13. ... they cannot afford one. Appointed counsel may be part of a public defender organization or, in some cases, may be private counsel.

14. ... 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.

17. ... violence, in accordance with the Jamaican Constitution. Jamaica expresses its reservation regarding certain terms used in the resolution including “gender identity” and “gender expression” which are not defined in Jamaican law.

18. ... the promotion and preservation of the rule of law and the protection of human rights and fundamental freedoms of all people, as enshrined in the Constitution of Trinidad and Tobago.

19. ... provisions of Title II, “Rights, Duties and Guarantees,” Chapter III, “Equality,” and Chapter IV, “The Rights of the Family,” of its Constitution and related provisions. It therefore expresses its reservation regarding the text of section xix, “Human rights and prevention of discrimination and violence against LGBTI persons.” Similarly, the reference to “gender identity or expression” contained in the paragraphs of this resolution shall be interpreted in accordance with its domestic law.

20. ... The Government is guided by the provision of its Constitution which promotes and protects the human rights, non-discrimination, and fundamental freedoms of all persons.

Saint Lucia maintains that each and every citizen is entitled to protection against violence and arbitrary discrimination equally in keeping with our belief in the intrinsic dignity of the human person. We will continue to apply these principles in the application of all laws and policies. Saint Lucia is committed to the protection of the family, as a fundamental cell unit of society and in accordance with the Universal Declaration of Human Rights.

Promotion of gender equity and equality, and the human rights of women and girls, as well as the elimination of discrimination of all forms of violence against them remains our priority.

Saint Lucia's reservation on this section is therefore premised on the understanding that our national laws will continue to be applied to protect the rights and freedoms of all citizens to the extent that each is equally entitled. The Government of Saint Lucia will as a result not be bound by any provisions within said section.

22. ... articles that are contrary to the Constitution of the Republic of Honduras.

23. ... national laws and based on the principle of equality, all who are within the territory of Suriname have an equal claim to protection of person and property and does not discriminate on the grounds of birth, sex, race, language, religious origin, political beliefs, economic position or any other status.

In light of the characteristics of our multi-cultural society and to ensuring our exemplary social cohesion, some aspects pertaining to sexual orientation and gender identity require further consultations at the national level, involving all sectors of our society, including the civil society. While significant progress has been recorded and since a broad-based consensus has not been reached on the many principles expressed in Section xix of this Resolution, the national process of consultations is still an ongoing one at the national level.

The Republic of Suriname would be willing to join in the adoption of this Resolution, but places on record that it can only be in a position to acknowledge some of the elements and principles addressed in this Resolution once its national consultation process is concluded and consensus is reached on these matters. The Government of Suriname remains committed to the inter-governmentally agreed human rights and fundamental freedoms, as enshrined in the various international and regional human rights instruments.

24. ... equality of all human beings as enshrined in its Constitution. It is necessary to underscore that some of the terms in this resolution are not defined in the domestic laws of Saint Vincent and the Grenadines or internationally. Accordingly, Saint Vincent and the Grenadines disassociates itself from those terms that are incompatible with and contrary to its national laws, reserving its rights to interpret the terms of this resolution.

25. ... As such, 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.

26. ... Democracy" adopted at the thirty-eighth Assembly of Delegates of the Inter-American Commission of Women on May 8, 2019, because it does not align with the provisions of its Constitution and other concordant provisions of law. Paraguay will implement this section and section xxi in accordance with its current law, rejecting those definitions or terms that are in conflict with its legislation.

28. ... all forms of violence against them.

The term “women in all their diversity”, as used in the context of Section xx, is not in keeping with the laws of Saint Lucia. We also note that while the justification for its use in this year’s resolution is claimed to be due to its reference in the resolution - Promotion and Protection of Human Rights of 2019, this terminology does not appear in the English versions of the 2019 resolution and there are questions about the exact language negotiated in 2019. The Government of Saint Lucia is extremely concerned about the variations of terminology found in the different languages of the resolution of 2019, which may or may not reflect the negotiated agreement.

For the reasons presented above, the Government of Saint Lucia enters its reservation on this section. Furthermore, the Government of Saint Lucia insists that any work undertaken by the Inter-American Commission of Women (CIM) acknowledges and reflects the national laws of respective member states.

The Government of Saint Lucia will continue to work tirelessly to promote gender equality and empowerment of women and girls, as defined by its national laws.

29. ... committed to preventing, punishing and eradicating violence against women and in particular prosecuting its perpetrators. Moreover, the United States believes the term “sexual and reproductive health” is open to many interpretations and therefore the United States does not associate itself with this section. The United States supports policies that promote respect for the human rights of all persons, without discrimination.

32. ... Convention of Convention of Belém do Pará and supports efforts undertaken by the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) for its implementation.

However, the term “women in all their diversity”, as used in the context of Section xxi, is not in keeping with the laws of Saint Lucia and is beyond the scope of the Convention of Belém do Pará. We reject any efforts to ascribe intent to the convention. We also note that while the justification for its use in this year’s resolution is claimed to be due to its reference in the resolution - Promotion and Protection of Human Rights of 2019, this terminology does not appear in the English versions of the 2019 resolution and there are questions about the exact language negotiated in 2019. The Government of Saint Lucia is extremely concerned about the variations of terminology found in the different languages of the resolution of 2019, which may or may not reflect the negotiated agreement.

For the reasons presented above, the Government of Saint Lucia enters its reservation on this section and will continue to work tirelessly to meet its obligations to the referenced Convention. Furthermore, the Government of Saint Lucia insists that any work undertaken by the CIM and MESECVI acknowledges and reflects the national laws of respective member states.

33. ... Indigenous Peoples (2017-2021),” reiterates its commitment to promotion and protection of the collective and individual human rights of indigenous peoples based on a relationship of respect and interculturalism while recognizing that indigenous peoples have the right to self-determination and that, by virtue of that right, they have the freedom to determine their political status and to pursue their economic, social and cultural development, as established in the American Declaration on the Rights of Indigenous Peoples, the United Nations Declaration on the Rights of Indigenous Peoples, and other international instruments in that regard. Mexico dissociates itself from this paragraph because it considers that it contains elements that are alien to the section under consideration, namely, follow-up on the American Declaration on the Rights of Indigenous Peoples and its Plan of Action (adopted in 2017 by resolution AG/RES. 2913 (XLVII-O/17), which have their own specific space in which to be addressed in this Organization.

34. ... international instruments to which it is a state party – principles that reflect a commitment to eradicating situations of exclusion and social disadvantage that population groups, including indigenous peoples, have suffered throughout the course of history. Based on the framework for follow-up to the Declaration on the Rights of Indigenous Peoples and the Plan of Action on the American Declaration on the Rights of

Indigenous Peoples (2017-2021), El Salvador is of the view that issues related to crime should not be included among the contents of this resolution and that due to their complexity, these issues should be addressed in other, more appropriate forums within the OAS, for which reason El Salvador dissociates itself from this paragraph.

35. ... recalls that, with limited exceptions not relevant here, the international human rights obligations of States do not extend to the conduct of private actors. The United States underscores our persistent objections to the American Declaration on the Rights of Indigenous Peoples initially placed on the record in 2007 and further elaborated in our footnote to OAS General Assembly resolution AG/RES. 2888 (XLVI-O/16) of June 15, 2016. In particular, the United States reiterates its view that the focus of the member States of the OAS should be on implementation of the UN Declaration on the Rights of Indigenous Peoples.

36. ... 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.