

**REPORT OF THE INTER-AMERICAN COMMISSION OF WOMEN WITH  
RECOMMENDATIONS ON GOOD PRACTICES TO CONSOLIDATE GENDER PARITY AND  
EQUITABLE GEOGRAPHICAL DISTRIBUTION, AS WELL AS THE DIFFERENT LEGAL  
SYSTEMS IN THE INTER-AMERICAN COURT AND COMMISSION ON HUMAN RIGHTS.**

JUNE 2023

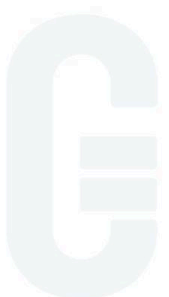
*Executive summary*

During the 53rd General Assembly (GA) of the Organization of American States (OAS) held in June 2023, a report was presented by the Inter-American Commission of Women (CIM) that studies gender parity, geographic balance and legal systems in the Commission (IACHR) and the Inter-American Court of Human Rights (IACHR Court), and in other bodies linked to the development of inter-American law. The report compiles innovative and disaggregated historical data on representation in the different bodies, analyzes good practices and international standards on the different criteria, and concludes with a proposal for recommendations to advance in consolidating the criteria of gender parity, geographic balance, legal systems and population groups in the nomination and selection processes.

The report was entrusted to the CIM by the 52nd General Assembly with the objective of strengthening the work of the OAS and the Member States in their commitment to guarantee an integration of these bodies that responds to the criteria of gender parity, geographic balance and representation of the different legal systems and population groups, while ensuring the independence, impartiality, moral authority and competence in human rights of its members. The development of the report was led by the CIM, with the support of the GQUAL campaign, and included consultations with civil society and experts on the subject and the discussion and collection of contributions from the Member States. The Resolution adopted by the 53rd GA following the presentation of the report includes a commitment by the States to follow up on the implementation of the recommendations.

According to the study, the criteria of gender parity and geographic and legal system balance respond to core principles in the constitution and functioning of the OAS, since they derive from the principle of representative democracy, participation and equality. Accordingly, successive GAs have referred to and ratified the importance of these criteria with respect to the integration of the IACHR and the IACHR Court.

The report emphasizes that meeting these criteria in the selection of members promotes the right to equality and strengthens the legitimacy and impact of the inter-American bodies. These criteria



should guide the decision of the States both in the nomination of candidates and in the voting of members, so that - once the criteria of independence, impartiality, dignity, prestige, moral authority and competence in human rights have been verified - the States should evaluate the selection of persons who contribute to gender parity and geographical balance and balance of legal systems. These are criteria that require an assessment of the overall composition of the bodies to be integrated.

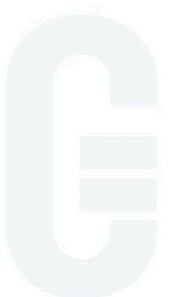
Notwithstanding the impetus promoted by the OAS to make progress on these issues, the organization does not systematize data according to the prioritized criteria. The data gathered by the report show that the historical underrepresentation of women in the organs of the Inter-American Human Rights System is the most notorious imbalance. Of 121 people who have served on the IACHR and the IACHR Court, 96 have been men (80%) and 25 women (20%) - or 3 women for every 10 men. In a disaggregated manner, the IACHR has had a 21.79% representation of women and the IACHR Court 18.60%, including periods with a total absence of women in the membership. Currently, and for the first time, both the IACHR and the IACHR have reached parity, but other inter-American bodies maintain this imbalance. One example is the Inter-American Juridical Committee, which as of the date of this report has 151 members, of whom only 6 have been women (3.9%). A more complete survey of these data is available in the [Annex to the report](#).

The data also show that there are no self-identified indigenous or LGBTIQ+ persons among those who have occupied the seats, and that the representation of Afro-descendants is very low, being nil among the Afro-descendants who have occupied the seats and who are not from the Caribbean. Hence the importance of also advancing in a balanced representation of population groups, a criterion promoted by the GAs in their most recent resolutions.

The report identifies various measures adopted in the OAS that have allowed progress to be made towards more balanced compositions of the organs and gender parity, including the various GA resolutions emphasizing the commitment to these criteria, the organization's Parity Plan, among others. Notwithstanding, the study shows that the IACHR and the IACHR Court are the only regional human rights protection bodies that do not have specific processes to promote gender parity or geographic and legal system balance in their composition.

The challenge of ensuring these balances has not been absent in other international, regional and national arenas. By studying these spaces, the CIM identifies a series of good practices that inform the set of conclusions and recommendations that it proposes as a roadmap for advancing in the consolidation of more representative inter-American bodies.

## **Recommendations for OAS Member States**



- Formalize a transparent, open and participatory mechanism or procedure that regulates the selection of candidates for international human rights positions and includes gender parity and representativeness as criteria.
- Produce more information and promote transparency, disseminating vacancies, collecting disaggregated data on the nominations made, generating representative lists of people with different expertise.
- Develop clear criteria and guidelines to guide the voting process.
- Promote binding commitment to these criteria for new treaties or the establishment of new bodies.

### **Recommendations for the OAS and its various bodies**

- To continue to promote these criteria in the resolutions of the General Assembly and the work agenda of the Committee on Juridical and Political Affairs, ensuring that these instances allow for progress to be made in concrete measures to guarantee compliance with the criteria in successive integrations of the organs.
- Implement, through the corresponding instances, measures to promote these criteria in the process of selecting candidates, including: informing the States about the composition of the organs based on these criteria and reminding them of the regulations and agreements reached at the time of opening the nomination process, informing and extending the deadlines if the group of nominees does not allow the desired balances to be met, offering technical assistance to the States to develop guidelines on national selection processes, among others.
- Generate and widely disseminate information and data on vacancies and current and historical membership of these bodies.

### **Recommendations for the organs of the IAHR (IACHR and IACHR Court)**

- Continue to develop, within the framework of its competencies, the human rights standards that underpin equal representation measures.
- Adopt and publicize its own parity plan regarding the application of the Parity Plan in the decision-making positions of the General Secretariat, including considerations for the application of these criteria to some relevant positions, such as the Special Rapporteurships.

### **Access the complete documents:**

**Spanish report:** <http://scm.oas.org/pdfs/2023/CP48133SCIM.pdf>

**Report in English:** <http://scm.oas.org/pdfs/2023/CP48133ECIM.pdf>

**Annex in Spanish:** <http://scm.oas.org/pdfs/2023/cp47835SAnexo.pdf>

**Annex in English:** <http://scm.oas.org/pdfs/2023/cp47835EAnexo.pdf>