

Mary Roberts

## **Final Internship Report**

This summer I completed my IHRP internship at the Inter-American Commission on Human Rights (IACHR) in Washington, D.C. The IACHR is an autonomous body within the Organization of American States and is one of two bodies within the Inter-American system that seek to monitor, promote and enforce State compliance with the American Convention on Human Rights across the hemisphere.

As an intern at the Commission, I took part in both the larger OAS internship programme and that of the Commission. The OAS programme is quite structured and involves mandatory attendance at weekly meetings, which can include lectures or organized visits, as well as participation in a two-day simulated Model OAS symposium.

At the Commission, interns are assigned to different units or rapporteurships. I was assigned to the Protection Unit, which has the power to grant precautionary measures to avoid irreparable harm in urgent cases, and endeavours to respond as immediately as possible to the petitions it receives (in contrast to ordinary human rights petitions, which tend to be examined several years after they are received). The Commission also holds weekly meetings for interns during which the various units or rapporteurships describe the nature of their work.

In the Commission, petitions can be received in any of the four official OAS languages (English, French, Spanish and Portuguese). It is most common to receive petitions in Spanish, given that the overwhelming majority of OAS member states are Spanish-speaking. Spanish is also the language that is employed on a day-to-day basis in the Commission.

My work for the Protection Unit was extremely varied. Like the three lawyers in my unit, I received petitions and evaluated the merits of the case according to Article 25 of the American Convention on Human Rights. Article 25 empowers the Commission to

Some of my colleagues at the Inter-American Commission for Human Rights (Washington, D.C.)

grant precautionary measures where a complainant can establish “urgency, gravity and risk of irreparable harm.” Crucially, the complainant does not need to show, unlike in an ordinary petition, that he or she has exhausted all potential domestic remedies but merely indicate that he or she has brought the problem to the attention of the relevant authorities. I dealt with cases on such topics as: prison conditions; the denial by a State of individuals’ political rights; inadequate health care; the right of indigenous groups to consultation prior to the construction of a dam that will impact their livelihood; lack of state protection against paramilitary or armed groups; and the threat of deportation to countries without the means to provide adequate medical treatment, among many other topics. The Protection Unit drafts memoranda and issues recommendations on individual cases, which are then decided by the Commissioners.

My own project, beyond working on new cases that arrive (primarily Brazilian cases in Portuguese), was initially to check on the status of petitions received in 2009 and to recommend a course of action to the Commission (ranging from closing inactive files, to requesting additional information from the State or petitioner, or to denying or granting the request for precautionary measures). In the second half of the internship, as I gained greater familiarity with and understanding of the Commission’s work in my section, I almost exclusively worked on new files, particularly Brazilian cases. Handling new files was to me much more engaging and demanding work than updating older inactive files, as it afforded me far greater independence and responsibility than I had had previously.

During the internship, I was also able to attend and serve as note-taker in the summer week-long session of the Commissioners during which the most difficult cases are discussed and Commission policy developed. My team, the Protection Unit, was intimately involved in the quite controversial Belo Monte case in Brazil (in which the Commission had previously decided that, through the mechanism of precautionary measures, the indigenous people affected by the construction of the dam were retroactively entitled to consultation with the government. Participating in the IACHR sessions helped me to develop a more nuanced understanding of the political dynamics in the Inter-American system and the consequences of both State non-compliance and unilateral action on the part of the Commission, absent State approval. Through my

participation in the Mock OAS session, I gained a greater understanding of the wider OAS system and the role that the OAS can have, for example, in upholding democracy in member states.

All in all, I had a wonderful professional and personal experience at the Commission. I am significantly more aware of the nature of (and limitations of) international human rights work, of the Inter-American system and its mechanisms, and of the kind of preparation that will be required of me to pursue this career path.

Unfortunately, I cannot include any samples of my work since the files are confidential.

The Commission's website can be accessed at the following link:

<http://www.cidh.oas.org/DefaultE.htm>

Sincerely,

Mary Roberts



Some of my colleagues at the Inter-American Commission for Human Rights (Washington, D.C.)