

IACHR: COMPOSITION & ELECTION PROCESS

COMPOSITION OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

The Inter-American Commission on Human Rights ([IACHR](#)) is a principal autonomous organ of the Organization of American States ([OAS](#)) charged with addressing human rights conditions and human rights violations in the 35 OAS Member States. The Commission's Rules of Procedure, the American Convention on Human Rights, and Statute of the IACHR govern its operations and processes, including the formation and composition of the body.

The IACHR is composed of **seven Commissioners**, who are elected in their personal capacity and do not represent any OAS Member State. Commissioners are elected to **four-year terms**, which may be renewed once. Commissioners serve on a part-time basis. Article 37 of the American Convention and Article 7 of the Statute of the IACHR instruct that the seven Commissioners must each be a national of a different Member State.

Sources of Law

- Charter of the Organization of American States ([OAS Charter](#))
- American Convention on Human Rights ([text](#))
- Statute of the IACHR ([text](#))
- Rules of Procedure of the IACHR ([text](#))

Article 34 of the American Convention requires that Commissioners have a “high moral character and recognized competence in the field of human rights.” They are not required to be lawyers or judges. Further, Article 8 of the Statute of the IACHR states that Commissioners may not engage in other work that is incompatible with a Commissioner's function as an independent and neutral member of the IACHR or incompatible with the “dignity or prestige” of the post. Commissioners may be removed from their post on the IACHR if a question as to their incompatibility arises. In this event, the IACHR may decide, through a vote of at least five Commissioners, that there is an incompatibility. This decision will be forwarded to the OAS General Assembly for consideration. The OAS General Assembly may then adopt a declaration of incompatibility by a vote of at least two-thirds of the Member States; the declaration will warrant immediate removal of the Commissioner.

Rapporteurships and Special Rapporteurs

Source of Law
Article 15 of the IACHR Rules of Procedure on **Rapporteurships and Working Groups**

A rapporteur is an individual appointed by the Inter-American Commission on Human Rights to monitor conditions relating to a specific thematic area. With the exception of two special rapporteurs, who are independent experts, the seven Commissioners themselves serve as rapporteurs. Currently, the IACHR includes a Special Rapporteur for Freedom of Expression and a Special Rapporteur on Economic, Social, Cultural, and Environmental Rights. Their mandates are reviewed at least once every three years, and may be terminated or renewed at that time.

Commissioners are assigned to several countries in the Americas, with each OAS Member State represented on the Commission, and may be assigned to a thematic priority area. Commissioners are assigned country and thematic rapporteurships during the first session of the year or at any other time the Commission finds it necessary.

| Current Composition* | |
|---|---|
| Commissioner | Rapporteurships |
| Margarette May Macaulay [†] (Jamaica) (Jan. 2020 – Dec. 2023) | Thematic: Rapporteur on the Rights of Women , and Rapporteur on the African Descent and against Racial Discrimination Country: Rapporteur for Antigua and Barbuda, Bahamas, Canada, Dominica, Dominican Republic, El Salvador, and Saint Kitts and Nevis |
| Esmeralda Arosemena de Troitiño [†] (Panama) (Jan. 2020 – Dec. 2023) | Thematic: Rapporteur on the Rights of Children Country: Rapporteur for Guatemala, Mexico, and Venezuela |
| Edgar Stuardo Ralón Orellana (Guatemala) (Jan. 2020 – Dec. 2023) | Thematic: Rapporteur on the Rights of Persons Deprived of Liberty and in charge of the Unit on the Rights of Persons with Disabilities Country: Rapporteur for Cuba, Haiti, Paraguay, Peru, Saint Lucia, Suriname, and Trinidad and Tobago |
| Julissa Mantilla Falcón (Peru) (Jan. 2020 – Dec. 2023) | Thematic: Rapporteur on the Rights of Migrants and in charge of the Unit on the Rights of Older Persons Country: Rapporteur for Argentina, Barbados, Belize, Costa Rica, Granada, Saint Vincent and the Grenadines, and Uruguay |
| Joel Hernández García , President (Mexico) (Jan. 2018 – Dec. 2021) | Thematic: Rapporteur on Human Rights Defenders Country: Rapporteur for Brazil, Chile, and Honduras |
| Antonia Urrejola Noguera , First Vice-President (Chile) (Jan. 2018 – Dec. 2021) | Thematic: Rapporteur on the Rights of Indigenous Peoples and in charge of the Unit on Memory, Truth, and Justice Country: Rapporteur for Colombia, Ecuador, Guyana, and Nicaragua |
| Flávia Piovesan , Second Vice-President (Brazil) (Jan. 2018 – Dec. 2021) | Thematic: Rapporteur on the Rights of Lesbian, Gay, Bisexual, Trans, and Intersex (LGBTI) Persons Country: Rapporteur for Bolivia, Jamaica, Panama, and the United States |
| Special Rapporteur | Tasks |
| Edison Lanza | Special Rapporteur for Freedom of Expression |
| Soledad García Muñoz | Special Rapporteur on Economic, Social, Cultural, and Environmental Rights (ESCER) |

The IACHR Secretariat

The IACHR also includes an Executive Secretariat, which is led by an Executive Secretary and an Assistant Executive Secretary, and consists of professional and administrative staff members who help the Commissioners carry out their work. Unlike the Commissioners and special rapporteurs, the Executive Secretariat is a permanent body whose staff members continue in their permanent positions through changes in the Commission's composition.

* Last updated July 2020.

† Serving second term.

ELECTION OF COMMISSIONERS

Election Process

The election process for Commissioners is established by the American Convention, the Statute of the IACHR, and the Rules of Procedure of the IACHR. The process begins six months prior to when a term is scheduled to end and there are anticipated vacancies on the IACHR's seven-member body.

The OAS General Assembly elects Commissioners from a list of nominees that have been proposed by OAS Member States, as described in Article 36 of the American Convention. The government of each Member State is entitled to propose up to three candidates.

Nominees may be from the proposing government's State or any other OAS Member State; however, if a government chooses to nominate three individuals, at least one of those individuals must be from a different Member State from the proposing State.

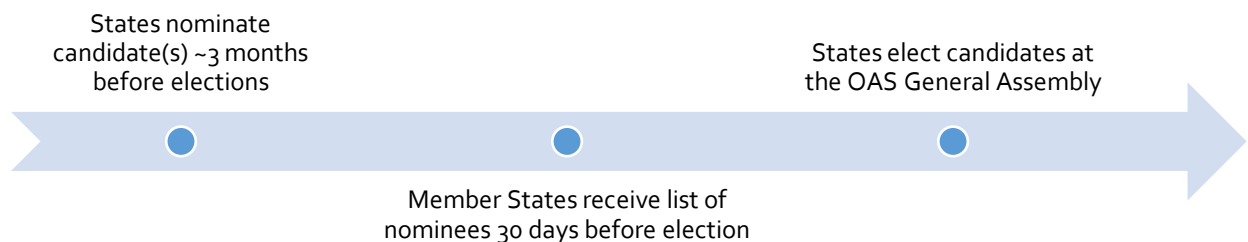
Sources of Law

- American Convention, articles 36 to 40
- Statute of the IACHR, articles 2 to 15
- Rules of Procedure of the IACHR

Timing

According to Article 4 of the Statute of the IACHR, the OAS Secretary General makes a written request to each Member State at least six months prior to when a term is scheduled to end asking Member States to submit their list of candidates for nominations within 90 days of the request. The OAS Secretary General then prepares a list of the candidates nominated by Member States and sends the list to Member States at least 30 days in advance of the next General Assembly session in which elections will be held. During the OAS General Assembly, Member States' representatives vote on candidates through the use of a secret ballot. Pursuant to Article 5 of the IACHR Statute, the candidates who obtain the most votes and absolute majority of votes will be elected. If necessary, several rounds of voting may be completed, and the candidates with the fewest number of votes will be eliminated in each round.

Candidates' four-year terms begin on January 1 of the year following their election. If no one is elected to fill an outgoing Commissioner's term, that Commissioner will continue to serve until a new Commissioner is elected, in accordance with Article 2.2 of the Rules of Procedure of the IACHR.



Note: This process repeats when terms are approaching their end date, four years after election.

Special Rapporteurs

The process of electing special rapporteurs is governed by Article 15(4) of the IACHR Rules of Procedure and is distinct from the process of electing Commissioners. The Commission is empowered to create rapporteurships that are dedicated to areas of special interest, in order to promote and protect the human rights of vulnerable groups throughout the Americas. To create a rapporteurship, the majority of the Commission's members must adopt a resolution. The resolution must delineate the functions and scope of the mandate, provide a description of the activities to be carried out, and an accounting of how these activities will be financed.

The IACHR must publicize the position, which allows individuals who are not members of the Commission to apply. The Commission then accepts comments from OAS Member States and civil society regarding the final candidates, and ultimately reaches a majority vote to elect the rapporteur. The Commission is required to publish the grounds for its decision. Special rapporteurs have a duty to disclose any potential conflicts of interest they have with the position, and the Commission has the ability to replace a rapporteur for reasonable cause. Special rapporteurs serve for three-year terms in a full-time capacity unless the mandate terminates earlier, and may renew their term once. The IACHR may decide to replace, by absolute majority, a special rapporteur for reasonable cause. In 2019, the IACHR adopted [Guidelines](#) on the Activities and Functions of the special rapporteurships.

ROLE OF CIVIL SOCIETY

The process of selecting candidates for nomination and possible election determines the future composition of the Commission. Civil society involvement is essential in ensuring that nominations for Commissioners are thoughtfully selected and meet the requirements set forth in the relevant rules.

Civil society may find information on nominated candidates up for election in advance of the session when elections will take place. The OAS General Assembly publishes information about the candidates, including their names and Curriculum Vitae, on its "Preparatory Committee" webpage.