

International Human Rights--February 27, 1995

Review--

OAS

American Declaration of Rights and Duties of Man

American Convention on Human Rights-- [how many ratifications? who?]

Inter-American Human Rights Commission

Standing

Exhaustion of domestic remedies

Within six months after domestic remedies have been exhausted. Art. 46(1)(b).

Evidence?

Investigations? 76 Supp.

Hearings?

How effective has it been? 78 Supp--not as effective as European Commission of Human Rights. Why not?

Why hasn't the US been more supportive?

Inter-American Human Rights Court

7 members. Art. 52, Handbook 77--qualifications? elected. no two from any one state. 6 year terms. reelected once, aft 54(1)

Cases are brought by Commission or by the State (if specific declaration is filed on art. 62; this is necessary even for the Commission to submit cases).

Commission has not submitted very many cases.

Advisory opinions, art. 64.

US law on abortions

Roe v. Wade (1973) 71 Supp

Planned Parenthood of Southeastern Pennsylvania v. Casey (1992) 72 Supp--"undue burden" test.

Ratifications (1994)

Argentina	El Salvador	Mexico
Barbados	Grenada	Nicaragua
Bolivia	Guatemala	Panama
Colombia	Haiti	Peru
Costa Rica	Honduras	Suriname
Dominican Republic	Jamaica	Uruguay
Ecuador		Venezuela

Am Convention

Federal clause? Art. 28

Question 3, p. 38

Relationship between Inter-American HR System
and UN HR System - which prevails?

UN! 28 2/3

Is an interstate HR challenge an
"intervention" in violation of Art. 18 of
the UN Charter?

No. -> pp 30-31

Advisory opinion Nov. 13, 1985

25 ILM 123

Costa Rica asks the Court, pursuant to Art. 64
to interpret Articles 13 & 29 regarding the
compulsory licensing of journalists.

African Convention
Duties

Pacific →
Process & Substance

Asylum ?