

Columbia Law School

Scholarship Archive

Human Rights Institute

Research Centers & Programs

3-2016

Using Thematic Hearings at the Inter-American Human Rights Commission to Advance U.S. Human Rights Accountability: A Resource for the Bringing Human Rights Home Lawyers' Network

Human Rights Institute

Follow this and additional works at: https://scholarship.law.columbia.edu/human_rights_institute



Part of the [Human Rights Law Commons](#)



USING THEMATIC HEARINGS AT THE INTER-AMERICAN HUMAN RIGHTS COMMISSION TO ADVANCE U.S. HUMAN RIGHTS ACCOUNTABILITY

A RESOURCE FOR THE BRINGING HUMAN RIGHTS HOME
LAWYERS' NETWORK

MARCH 2016

TABLE OF CONTENTS

INTRODUCTION	1
COMPOSITION & GENERAL FUNCTIONS OF THE IACHR.....	1
BASIC INFORMATION ON IACHR HEARINGS.....	1
I. THEMATIC HEARINGS AS AN ADVOCACY TOOL	4
POTENTIAL UTILITY.....	4
LIMITING FACTORS.....	6
II. THE HEARING REQUEST	8
PRELIMINARY CONSIDERATIONS.....	8
IDENTIFICATION OF IACHR PRIORITIES.....	9
DRAFTING THE HEARING REQUEST.....	10
III. THE HEARING	12
WRITTEN MATERIALS.....	12
SPEAKERS & AUDIO/VISUAL TESTIMONY.....	13
MEDIA ENGAGEMENT.....	13
IV. MAXIMIZING THE OPPORTUNITIES OFFERED BY A THEMATIC HEARING	15
COMMISSION ENGAGEMENT.....	15
GOVERNMENT ENGAGEMENT.....	15
CIVIL SOCIETY MOBILIZATION.....	16
CONCLUSION	17
APPENDIX I: COMMISSION RULES GOVERNING THEMATIC HEARINGS	18
HEARING REQUESTS.....	18
COMMISSION COMMUNICATIONS AND NOTIFICATION.....	18
PRESENTATION OF INFORMATION & TESTIMONY.....	18
PRIVATE VS. PUBLIC HEARINGS.....	19
APPENDIX II: PAST THEMATIC HEARINGS RELATED TO THE UNITED STATES	20
APPENDIX III: ADDITIONAL RESOURCES ON THE IACHR	24
APPENDIX IV: SELECT THEMATIC HEARING REQUESTS FROM 2015	25
ENDNOTES	26

ACKNOWLEDGEMENTS

Initial research for this guide was undertaken by **Victoria-Gilcrease Garcia**, a student in the Columbia Law School Human Rights Clinic during the 2013-2014 academic year, under the supervision of **JoAnn Kamuf Ward**, associate director of the Human Rights Institute's Human Rights in the U.S. Project, and **Erin Foley Smith**, a project attorney with the Human Rights in the U.S. Project.

This resource reflects conversations with a small number of Bringing Human Rights Home Lawyers' Network members, as well independent research conducted from 2014-2016. We are grateful to the following individuals who shared the perspectives and recommendations that form the basis of this report: **Charles Abbott**, former Staff Attorney at Center for Justice and International Law (CEJIL); **Caroline Bettinger-Lopez**, Founding Director, Human Rights Clinic at the University of Miami School of Law; **Jamil Dakwar**, Director of the Human Rights Program, American Civil Liberties Union (ACLU) Human Rights Program; **Francisco Rivera Juaristi**, Assistant Clinical Professor and Director, International Human Rights Clinic, Santa Clara University School of Law; **Rebecca Landy**, Human Rights Outreach & Advocacy Manager, U.S. Human Rights Network; **Sarah Paoletti**, Director, Transnational Legal Clinic at the University of Pennsylvania Law School; **Cynthia Soohoo**, Director, International Women's Human Rights Clinic, CUNY School of Law; and **Steven Watt**, Senior Staff Attorney, ACLU Human Rights Program.

SUMMARY

As U.S. social justice advocates increasingly turn to the Inter-American Commission on Human Rights (the “IACHR” or the “Commission”) as a tool to advance domestic social justice advocacy, there has been significant growth in the number of requests for thematic hearings. Thematic hearings offer a unique opportunity to raise-awareness of human rights issues, build coalitions, strengthen the regional and international human rights record on the United States, and advocate for changes to law and policy, as well as to promote regional norms. To leverage this opportunity, it is useful to understand thematic hearings and how they function within the Inter-America Human Rights System.

This resource is intended to provide U.S. lawyers with practical guidance on the role of thematic hearings at the Inter-American Commission. Focusing on the U.S. context, this resource provides a brief background on the Commission and thematic hearings. It also presents a number of considerations to inform lawyers’ use of thematic hearings as a tool to advance human rights accountability. As a practice-oriented document, it distills advocates’ insights, recommendations, and reflections on how to request, prepare for, and follow up on thematic hearings to maximize their impact. The Appendix includes a synopsis of the Commission’s Rules of Procedure that govern thematic hearings.

For readers interested in learning more about the Commission and the Inter-American Human Rights System, background resources are listed in the Appendix. The Appendix also provides links to a number of recent U.S.-focused thematic hearing requests. It further includes comprehensive list of the U.S.-specific hearings held at the Commission through February of 2016.

INTRODUCTION

COMPOSITION & GENERAL FUNCTIONS OF THE IACHR

The Commission is a quasi-judicial body that promotes and protects human rights as part of the Inter-American Human Rights System (IAHRS).¹ The IAHRS is the regional system created to monitor and ensure implementation of human rights within the thirty-five member states of the Organization of American States (OAS).²

Headquartered in Washington, D.C., the Commission serves several core functions in order to document and address human rights within OAS Member States. Composed of an executive secretariat, staff, and seven independent Commissioners, the IACHR monitors human rights and contributes to regional human rights norm development. Each Commissioner participates in the general work of the IACHR, is designated as a Rapporteur on specific countries in the region, and is assigned to one or more of the following thematic areas as well:

- Rapporteurship on Rights of Indigenous Peoples
- Rapporteurship on Rights of Women
- Rapporteurship on Rights of Migrants
- Rapporteurship on Freedom of Expression
- Rapporteurship on Rights of the Child
- Rapporteurship on Human Rights Defenders
- Rapporteurship on Rights of Persons Deprived of Liberty
- Rapporteurship on Rights of Persons of African Descent and Against Racial Discrimination
- Rapporteurship on Rights of Lesbian, Gay, Trans, Bisexual, and Intersex Persons
- Unit on Economic, Social, and Cultural Rights

The Commission's Rules of Procedure authorize the Commission to carry out various activities, including conducting [in-country site visits](#), issuing [reports on particular countries](#) and [thematic areas](#), as well as receiving and deciding [cases](#) on behalf of individuals and groups through its petition system. As part of its human rights monitoring function, the Commission also holds [hearings](#) on specific countries and issues.

BASIC INFORMATION ON IACHR HEARINGS

The IACHR holds two types of hearings: case-based (or petition) hearings and hearings of a general nature (also known as thematic hearings). Case hearings are intended to gather facts pertinent to a specific petition filed with the Commission. Thematic hearings are used to

compile up-to-date information about a particular human rights issue in one or more OAS member states. Hearings take place at the Commission's headquarters in Washington, D.C., twice a year: during the IACHR's spring and fall periods of sessions, which typically occur in March and October.

The Commission holds thematic hearings in response to requests from non-governmental organizations (civil society) and governments, as well as on its own initiative. The IACHR has the discretion to accept or reject thematic hearing requests based on its assessment of the need to monitor a particular issue. The Commission grants approximately one third of the hearing requests it receives for each session. For the past several years, the Commission has held about fifty-five hearings per session, including three to five hearings focused on issues specific to the United States. Most often these hearings are open to the public [and webcast](#). However, the Commission can decide to hold hearings in private.

U.S. advocates have used IACHR thematic hearings to address a wide range of human rights concerns. Recent hearings have addressed solitary confinement, juvenile justice, national security, indigenous rights, racial discrimination, human trafficking, rights of migrants and farm workers, excessive use of force, detention at the U.S.-Mexico Border, stand your ground laws, the right to water, and conditions at Guantanamo Bay, among other concerns.

THE ROLE OF THEMATIC HEARINGS

As described throughout this resource, advocates typically request thematic hearings as part of a broader advocacy strategy. Thematic hearings can advance general awareness of a human rights issue, serve as a coalition-building tool, reinforce advocacy at the United Nations, and focus the Commission on a particular human rights concern. Thematic hearings are also a tool to inform the priorities of the Commission and/or individual IACHR Rapporteurs. For example, advocates may use hearings as part of a strategy to influence the Commission to develop a thematic report, or undertake a site visit to the United States regarding a particular concern. Within the IACHR, a thematic hearing can also lay the groundwork for a future case petition, or a working meeting between civil society and the government. Working meetings provide an off-the-record opportunity for a dialogue on human rights concerns and potential solutions, mediated by the Commission. Thematic hearings can also serve a follow-up function. For example, if the IACHR has made recommendations in a particular area, via a decision or a report, a thematic hearing can focus specifically on progress towards implementation.

THEMATIC HEARING STRUCTURE

Thematic hearings usually focus on one or more human rights issues relevant to one or more countries in the region. The hearing structure is determined by whether it addresses concerns in one country, or covers multiple countries.

When a hearing focuses on a single country, the hearing typically lasts one hour, and time is allocated between civil society and government delegations. Each delegation typically has twenty minutes to speak and present audio and visual information, and the Commission uses the final twenty minutes for reflections and questions.

A multi-country hearing typically lasts forty-five minutes because the Commission does not invite government participants. This has two notable impacts. First, only non-government representatives make presentations and respond to Commission inquiries during multi-country hearings. Second, there is no formal opportunity for a dialogue between advocates and government representatives.

Further details on the Commission's Rules of Procedure, which prescribe specific requirements for thematic hearings, are outlined in Appendix I.

I. THEMATIC HEARINGS AS AN ADVOCACY TOOL

POTENTIAL UTILITY

Thematic hearings can yield a number of positive outcomes for an advocacy effort. Hearings can raise awareness of wide-spread human rights concerns (within the United States and across the region), bolster advocacy, galvanize coalitions, and contribute to the development of regional human rights norms. The following features make thematic hearings a unique forum to achieve these goals:

- **Hearings provide a regular, periodic opportunity to shed light on human rights concerns of a general nature.** In contrast to IACHR case hearings and U.N. reviews of the U.S. human rights record, thematic hearings occur on a fairly frequent and regular basis – two times per year. Additionally, because thematic hearings play a unique information-gathering function, they do not feature the strict procedural constraints associated with cases.³ Indeed, advocates can use thematic hearings to discuss the general context for human rights violations without identifying individual petitioners, or exhausting domestic remedies. For example, during a U.S. hearing on excessive use of force, held in 2015, advocates offered data and statistics on police use of force from across the United States and included the testimony of directly impacted individuals from Texas and Chicago to demonstrate the scope of the issue.⁴
- **The public nature of hearings can bolster domestic and international advocacy.** Thematic hearings can fortify momentum around local or national campaigns; serve as a platform for mobilization; and complement legislative, administrative, and executive advocacy, as well as litigation in state and federal court. Country-specific hearings also provide a venue to discuss human rights concerns with government officials. In addition, thematic hearings allow advocates to build upon recent international developments. For example, in 2013, advocates used a thematic hearing on NSA surveillance practices to capitalize on the global political climate concerning privacy rights in the digital age, and invited a U.N. expert to speak, building the regional and international human rights record.⁵
- **Hearings can focus the Commission on a particular course of action.** As noted above, thematic hearings are a valuable opportunity to educate Commissioners and staff on a particular issue and to contribute to the Commission’s findings, reports, visits, and overall planning. For example, as part of a 2008 thematic hearing on immigration detention and deportation in the United States, advocates requested that the Commission conduct a site visit to the U.S. and develop a report on the issue.⁶ The Commission ultimately conducted a visit to the U.S., and subsequently released the 2010 report *Immigration in the United*

States: Detention and Due Process.⁷ As another example, advocates built upon the Commission's 2011 report, *Juvenile Justice and Human Rights in the Americas*,⁸ through a 2013 hearing on the specific issue of juveniles in adult prisons in the United States, as well as by facilitating a follow-up Commission site visit on the same issue in 2014.⁹ An IACHR report on juveniles in adult facilities is expected in 2016.

- **Hearings offer an opportunity to build cross-cutting coalitions.** Thematic hearings offer a unique opportunity to include multiple perspectives on an issue, and make connections between the array of factors that contribute to a given human rights situation. To make the most of this forum, advocates can reach out to a broad network of practitioners, activists, community groups, and affected individuals to facilitate collaboration among groups with different geographic focus areas and substantive expertise. This approach allows advocates to expand their framing, bring more resources and expertise to the table, and build and fortify networks that may collaborate on future initiatives. For example, ACLU attorneys who requested a thematic hearing on solitary confinement used the 2013 hearing to present a variety of perspectives on criminal sentencing, and presented testimony from groups who historically focused on specific vulnerable populations, as well as organizations with local expertise to offer a nuanced view of the overall context.¹⁰ Similarly, advocates who participated in a 2014 hearing on stand your ground laws in Florida used the hearing to build a local coalition, bringing together the NAACP, legal services groups, the Human Rights Clinic at the University of Miami School of Law, and impacted individuals.¹¹ Hearings also offer opportunities to build transnational and domestic partnerships on an issue. Recent hearings on the right to water and human rights violations in Puerto Rico each brought together dozens of organizations and individuals, establishing and strengthening collaboration among people who had been working separately.
- **Hearings bring together stakeholders to clarify regional human rights norms and government obligations.** Thematic hearings provide a space to clarify and develop positions on substantive human rights issues. In the arena of NSA surveillance, for instance, the ACLU participated in a 2013 hearing in order to help build the international record on the relationship between privacy and technology.¹² Country-specific hearings can also encourage government officials to elucidate and concretize official positions regarding government obligations and interpretations on a given human rights issue, and foster multi-stakeholder dialogue on these topics.

LIMITING FACTORS

While thematic hearings can contribute to human rights promotion and protection, several practical and structural factors influence their impact on human rights accountability within the United States. As a result, hearings are most valuable as a component of a larger advocacy strategy, and the decision to request a hearing should take into account some of the potential limitations of this approach. Advocates suggest considering the following factors as part of the decision to request a thematic hearing:

- **IACHR hearing availability.** Thematic hearings take place during the Commission's public periods of sessions, which occur twice a year. During each session, there are usually four days of public hearings during which the IACHR will address a wide range of human rights issues affecting the thirty-five member states of the OAS. Accordingly, there is only a limited amount of time to devote to each country. The Commission grants, on average, four U.S.-specific hearings per session.
- **Timing.** Thematic hearings present several challenges in terms of timing. As a preliminary matter, advocates have little control over when a hearing will occur within a session. Hearing requests are due to the IACHR at least two months in advance of a period of sessions, but the Commission does not issue its decision as to whether or not a hearing is granted until one month before the hearing is scheduled, which can limit time to plan. Further, the total time allotted to a thematic hearing is usually no more than one hour, divided among advocates, the Commission, and government representatives (if present). While this is a substantial amount of time in comparison to other international human rights mechanisms, such as U.N. treaty reviews and the Universal Periodic Review, advocates report that it only allows them to scratch the surface of an issue. This is particularly true when a large number of speakers participate.
- **Lack of formal written outcomes.** While thematic hearings are usually open to the public, available via live stream, and archived on the Commission's website, the IACHR does not issue formal written conclusions for hearings. Nevertheless, statements made by both the Commission and government representatives, as well as the footage from hearings, can be used to garner media attention and to inform policy and legal advocacy. The Commission also uses the information presented in hearings to inform its reports and communications with governments. Additionally, at the conclusion of a period of sessions, the IACHR issues a formal press release highlighting the issues addressed during the period.¹³
- **The extent of U.S. engagement.** According to the Commission's Rules of Procedure, government officials are not obligated to participate in hearings. For U.S.-related hearings, government discretion to participate is impacted by the U.S. position that the American

Declaration is non-binding. Consistent with this position, the U.S. government maintains that its participation in thematic hearings is not rooted in a sense of legal obligation, but represents a voluntary show of support. As a result, even when U.S. representatives participate, the government considers statements by the Commission to be purely advisory, and may even cede its speaking time to civil society. Nevertheless, U.S. participation at thematic hearings has become more robust since 2008. In addition to officials from the State Department's Permanent Mission to the OAS and the Office of the Legal Adviser, the U.S. delegations often include agencies with domestic implementation authority, including the Department of Justice, the Department of Homeland Security, and the Department of Labor. However, substantive government engagement during the hearings varies greatly depending on the subject matter, and the U.S. is not compelled to present testimony or answer questions from the Commission.

To encourage the U.S. to send a delegation with expertise and authority to address the relevant human rights issue, advocates can proactively suggest (and even invite) specific federal agencies and officials to attend. Where hearings have a state or local component, officials from the relevant municipal government can also be valuable participants, and advocates can request their participation on the U.S. delegation. This is one way to address the fact that the federal government has demonstrated less willingness to engage substantively with the IACHR on topics that involve state and local law and practice.

- **Lack of public awareness of the Inter-American Human Rights System.** Despite increased engagement with the IACHR by U.S. advocates and government officials, the general public and the media continue to have a limited understanding of the Inter-American System and how it relates to the U.S. or domestic law. To address this gap, public education and media outreach are valuable elements of an advocacy strategy that includes a thematic hearing.

The above limitations notwithstanding, advocates increasingly use thematic hearings as an important component of an overall advocacy strategy, and have developed ways to ensure that the hearings have an impact within the United States. Drawing on interviews with U.S. lawyers who regularly engage with the Commission to address U.S. issues, the remainder of this resource offers recommendations to inform how advocates shape hearing requests and use hearings to advance human rights accountability.

II. THE HEARING REQUEST

A hearing request is an opportunity for advocates to frame human rights concerns, raise general awareness of human rights issues, and foster collaboration with other advocates in the region. This section focuses on considerations that should inform hearing requests, as well as the value of early outreach to allies, the IACHR, and the U.S. government. Advocates emphasize strategic and coordinated use of thematic hearings, reflecting the reality that requests can be time-consuming to develop, and that there is no guarantee that the Commission will grant a request. At the same time, flexibility in planning is important because the Commission retains the authority to shape hearing content. For example, the IACHR can act on its own initiative to convert multiple individual requests into a hearing spanning several countries, or into a thematic hearing covering multiple issues. In fall of 2015, when U.S. advocates requested a hearing on the right to water in the United States,¹⁴ the IACHR merged the request with requests from advocates in other countries in the Americas and convened a regional hearing on water.¹⁵

The Commission typically notifies advocates of its decision to accept a hearing request at least one month in advance of a hearing date, which provides a small window to prepare the hearing materials and arrange participant travel.¹⁶ Accordingly, advocates suggest planning for the hearing in advance of receiving official notice that a request has been accepted.

PRELIMINARY CONSIDERATIONS

In order to plan ahead, and remain nimble, advocates are advised to consider the following factors when developing a hearing request:

- **IACHR deadlines and timelines.** As noted above, hearings are held within the Commission's two annual public periods of sessions, usually in March and October. Written requests for hearings must be submitted to the Executive Secretary at least fifty days prior to the beginning of Commission's relevant session. Notably, session dates are not always publicly available until three to six months prior to the session, and the exact hearing time is not released until one month before the hearing. Nevertheless, advocates recommend initiating outreach to potential collaborators and drafting a hearing request well before the exact dates of a session are set.
- **Framing human rights concerns.** The precise amount of preliminary research and factual information to include in a request will differ depending on the focus of the hearing, as well as related advocacy goals. Regardless, advocates suggest including the factual and legal context, as well as an articulation of the significance of the subject, in terms of its breadth and individual impact. Information on the urgency of the issue is also valuable to

demonstrate to the Commission that a hearing is timely. Advocates suggest emphasizing how IACHR engagement can advance a particular issue to show why it is an important focus for the Commission in light of the IACHR's limited resources. It is also valuable to include the domestic, regional, and international legal frameworks relevant to the hearing topic. Hearings that fall within the IACHR's priority issue areas (demonstrated by the IACHR's thematic rapporteurships, strategic plan, and reports) are likely to be well received by the Commission.

- **Collaboration and Partnership.** Advocates can demonstrate the scope and importance of a human rights concern by working with an array of stakeholders to submit a hearing request. Collaboration can also facilitate information-gathering and help shape effective legal and policy recommendations. Further, joint stakeholder requests can demonstrate cross-cutting interest in an issue. Some advocates suggest including organizations and individuals with national and local perspectives on an issue as proposed hearing participants. Through collaboration, organizations and individuals can leverage a range of expertise and institutional capacities during the hearing process and facilitate broader awareness-raising, outreach, and ultimate impact. Yet, advocates also note that it can be a challenge to manage multi-stakeholder requests and navigate the allocation of time and resources among collaborators who may have multiple goals and priorities.

IDENTIFICATION OF IACHR PRIORITIES

Numerous factors inform the Commission's decision whether to grant a thematic hearing request. Based on experience, advocates note the following factors as potentially relevant: the Commission's strategic priorities; Commissioner mandates; the widespread nature of an alleged violation; recent international legal developments; and the number of pending requests. Historic IACHR interest and activity on an issue is also a consideration. Advocates can look at materials published or distributed through the IACHR to assess the Commission's areas of interest and priorities. Annual reports, thematic reports, country reports, past hearings, and merits decisions are available on [the Commission's website](#).

IACHR staff, as well as Commissioners, can offer valuable perspectives on the likelihood that the IACHR will grant a hearing for a particular session. Commissioners and staff are often receptive to direct outreach via email or phone. Informal discussions with Commissioners prior to, and following, IACHR meetings and other Commission proceedings are also appropriate. In addition to communication with relevant IACHR Commissioners, it is useful to consult with the Rapporteur on the United States, and IACHR staff working on the U.S. The BHRH Lawyers' Network Inter-American Working Group¹⁷ and its members who appear regularly before the Commission, have developed relationships with Commissioners and staff in order to enhance

communication between advocates and the IACHR, and may be able to offer insight into Commission priorities.

As an example of the value of outreach, practitioners who developed a thematic hearing on U.S. immigrant detention and deportation policies framed their hearing request, in part, in response to interactions with the IACHR staff and ongoing communication with the IACHR Rapporteur on Migrants. Similarly, advocates who participated in a hearing on NSA surveillance practices in the U.S. spoke with the Inter-American Rapporteur on Freedom of Expression before submitting their hearing request to the IACHR. These conversations helped advocates assess the likelihood that a hearing would be granted, and also enabled them to frame their requests in a compelling way. Advocates also indicate that where there is international attention on an issue, it may be helpful to reach out to United Nations experts (including U.N. Special Rapporteurs and other U.N. Special Procedures) and include them in hearing preparation, as well as hearings themselves.

Notably, even where there is significant Commission interest in an issue, there is no guarantee that requests will be accepted, as the IACHR must balance a wide range of competing priorities.

DRAFTING THE HEARING REQUEST

Hearing requests can be submitted in any format, but the IACHR's online portal accepts documents only up to 2000 KB in size. Advocates recommend submitting requests no longer than five to ten pages in order to provide sufficient background without overwhelming the Commission with information. To put the U.S. on notice of a request, a courtesy copy can be sent to the U.S. Permanent Mission to the OAS. Key elements of a request include: (1) a concise and compelling **substantive analysis** that indicates why the Commission should grant the hearing request; (2) a proposed list of **government representatives**; and (3) **recommendations** for ways to address the human rights situation.

- **Substantive Analysis.** A hearing request aims to provide a compelling argument for why the IACHR should address the underlying human rights concern. Further, the goal is to make the case that the issue is both timely and significant and, therefore, warrants a hearing during the relevant period of sessions. The analysis can be strengthened by including personal narratives, statements from government representatives and human rights experts, news stories, and other materials to provide context, highlight legal gaps, and demonstrate the importance of regional attention to the issue.
- **Suggested Government Participants.** It is valuable to indicate early on which government actors should serve on the U.S. delegation to a hearing. The United States typically sends representatives from the State Department's Office of the Legal Adviser and the U.S.

Permanent Mission to the OAS, at a minimum. Advocates can enhance the dialogue at the hearing and lay the groundwork for future advocacy by proactively suggesting specific government actors with subject matter jurisdiction over a particular human rights concern and urging their participation. In recent years, representatives from the Department of Justice, the Department of Health and Human Services, and the Department of Homeland Security have regularly participated. If one advocacy goal is to influence federal legislation, advocates should consider requesting participation by a member of Congress or congressional staff. Advocates can also suggest that the United States include specific representatives from the states and localities implicated in a hearing. Even if the IACHR does not grant a hearing request, this information signals to the U.S. and to the IACHR who the critical decision-makers are. Further, if a hearing is granted, and the government does not include the suggested participants, this information can inform future advocacy. Advocates can also go beyond the formal request to the IACHR and directly inform government agencies and officials (federal, state, or local) of the hearing request and invite their participation. In 2015, Santa Clara Law School's International Human Rights Clinic worked with dozens of partner organizations to submit a request for a hearing on human rights violations in Puerto Rico.¹⁸ The Clinic asked the U.S. Permanent Mission to the OAS to invite specific Puerto Rican officials, and the coalition followed up by meeting with those officials in Puerto Rico before the hearing. Consequently, those officials participated in the hearing and continued to engage with the coalition.

- **Concrete Recommendations for Action.** Advocates may have multiple goals in seeking a thematic hearing. They may seek to stimulate action by the U.S. government and the Commission, or to promote or strengthen particular norms. Hearing requests are a platform to recommend the specific steps that the IACHR and the U.S. government should take to address a given human rights concern. The jurisdiction of the IACHR and the capacity of government actors to implement requests by advocates or the Commission should inform how recommendations are framed. It is particularly valuable to craft government “asks” with specificity. This can help highlight current gaps in human rights protections and facilitate changes in law, policy, and practice.

Notably, the Commission typically interacts with the federal government, so when developing recommendations, advocates should consider the role and jurisdiction of various federal actors, as well as the relationship between the federal government and state and local authorities. Some local issues have a clear federal dimension (i.e., where the federal government may control purse strings, enforce certain laws, draft guidance, or influence new policy or legislation), but this is not always the case. Where advocates seek action by the Commission, it is helpful to identify what IACHR action will be most impactful (i.e., a report, a site visit, or a working meeting), and to refer back to the framing suggestions noted above.

III. THE HEARING

Thematic hearings all follow a similar format, but the way that advocates use this advocacy opportunity differs based on a range of factors, including goals, strategy, resources, and partners. Advocates suggest that hearing participants can maximize the impact of a thematic hearing through effective written and oral presentations, as well as media outreach, all of which can be planned in advance of official notification that the Commission has granted a hearing. In addition to the considerations noted below, the range of potential audiences, which include Commissioners, government representatives, media and the general public, will inform how written and visual materials are developed and presented.

WRITTEN MATERIALS

A thematic hearing can advance human rights accountability by providing a public forum to discuss and build the record on human rights concerns. Commissioners may not be well-versed in every human rights issue, thus advocates suggest providing materials that offer the broader context and describe the specific laws, policies, and practices that contribute to a particular human rights situation. The Commission welcomes information on both individual and systemic impacts of a human rights situation, and both the local and national contexts.

Advocates may always supplement the initial hearing request with relevant factual and legal information to further enhance the record, focus on items of potential interest to the Commission, and incorporate newly developed facts. Briefing papers, affidavits, and testimony can be shared at, or soon after, a hearing. Often, the Commission will contact advocates a few weeks before a hearing to request specific supplemental information, such as the precise topics to be addressed and a speaker list.

Advocates suggest developing a one-page document that summarizes the factual and legal issues involved, as well as key recommendations. Staff attorneys will often use this “one-pager” as they draft the Commission’s press release at the end of the period of sessions. Some advocates also create briefing binders for the IACHR that include the hearing request, a clear statement of actions the IACHR and government should take, an annotated table of resources that highlight key issues, and additional supporting documents. Where the resources are available online, advocates can include links to avoid inundating the Commission with paper.

Supplemental written materials can be sent to the Commission prior to a hearing or brought to the IACHR on the day of the hearing. When the Commission receives materials before a hearing, Commissioners have an opportunity to prepare their questions in advance. Advocates can also place hearing materials on a website to reach a wider audience.¹⁹

SPEAKERS & AUDIO/VISUAL TESTIMONY

Advocates recommend using the limited speaking time during a hearing to provide varied perspectives on a problem, and to avoid repetition. Participants can incorporate PowerPoint presentations, videos, or other means of technology to bring life to the relevant facts, and incorporate stories and voices that cannot be in the room. (During a hearing, the Commission does not track how much time individual speakers use, so the onus is on advocates to allocate time among speakers and adhere to individual speaking time.)

The Commission allows the presentation of pre-recorded video testimony, which can have a dynamic impact on the hearing, and can be made available after the hearing as well. For example, at a 2015 hearing on the U.S. torture and rendition program, advocates included audio testimony from a torture survivor, with translation.²⁰ For all speakers, the Commission may request written copies of testimony to facilitate translation because the Commissioners are not all native English speakers. Even if no formal request is made, advocates may provide transcripts of the presentations to the IACHR staff attorneys on the day of the hearing to ensure the information is accessible to members of the Commission.

In addition to arranging civil society presentations, advocates note that it is important to follow up with the U.S. government about who will speak on behalf of the government in advance of a hearing date. Beginning immediately after a hearing request is granted, advocates may contact the State Department in writing with a list of officials whose presence is requested at the hearing.

MEDIA ENGAGEMENT

To raise awareness of a hearing and the substantive issues it will address, it is important to develop a media strategy in the month leading up to the event. Press coverage can help engage the public, inform interested organizations, and persuade the government to take action.

While U.S. media typically gives limited attention to IACHR proceedings, advocates can generate press attention by connecting a hearing to issues in the news and organizing related events. Companion events can include a congressional briefing on the day of a thematic hearing, a report release, and a press conference. Advocates who organized a thematic hearing in 2015 on human rights in Puerto Rico convened a dialogue with civil society actors on the day of the hearing, and organized simultaneous webcasts of the hearing at various universities in Puerto Rico, followed by panel discussions and questions from the public and the press.²¹

Including prominent participants in a hearing can also catalyze media interest. To increase the likelihood of coverage, advocates may choose to disseminate documents related to the hearing (e.g., the hearing request, testimonies, or videos), as well as press releases and media packets. Featuring these documents on websites or blogs following the hearing, and using social media, are also recommended practices.²² Finally, the IACHR develops media materials and issues a press release after each period of sessions, offering additional opportunities for media coverage. Yet, advocates observe that while the Commission's press releases are useful, they typically only mention the topics covered during the week of hearings, and do not provide detailed coverage of the issues raised in hearings.

IV. MAXIMIZING THE OPPORTUNITIES OFFERED BY A THEMATIC HEARING

As discussed above, the thematic hearing is designed primarily as a tool to raise awareness of human rights concerns. Because hearings have no built-in follow-up mechanism, it is up to civil society to leverage hearings to advance human rights advocacy. After the formal conclusion of a hearing, advocates can continue to raise awareness of the relevant human rights norms, underlying facts and concerns, and statements by the Commission, government representatives, and civil society. A key recommendation is to maintain communication among stakeholders. This section highlights how advocates can use relationships with the IACHR, government officials, and allies to maximize the opportunities offered by a thematic hearing.

COMMISSION ENGAGEMENT

The Commission has a wide range of modalities for its work, and an expansive breadth of human rights issues within its jurisdiction. To sustain the Commission's focus on one particular issue, advocates can build relationships with IACHR staff and Commissioners.

During the course of a hearing, the Commission will often ask for additional information to supplement presentations and clarify facts and law. The Commission does not set a deadline for this information, and the onus is on civil society to provide responses.

During the week of hearings, civil society can approach IACHR representatives for unofficial discussions to further stimulate IACHR interest in particular issues and build personal relationships. Conversations with the Commissioners and IACHR staff can also help identify future opportunities for the Commission to address a situation, including through petitions, reports, and ongoing monitoring, as well as site visits and subsequent thematic hearings.

GOVERNMENT ENGAGEMENT

Conversations with the government delegation are not limited to the hearing. Often, government representatives are available to speak informally with civil society once a hearing concludes. While the nature of these exchanges may vary, they offer an opportunity to connect with decision-makers who have jurisdiction over a given issue, seek clarity on U.S. positions, and to make recommendations for further government action. These conversations can help identify perceived barriers to government action and areas where future advocacy may be fruitful. These informal conversations may inform future advocacy, as well. However, there is

the possibility that the government representatives will be unwilling to provide information above and beyond what they presented at a hearing.

Advocates can also use the occasion of a hearing to arrange meetings with government officials outside of the IACHR. The day before the 2015 water rights hearing, representatives of several affected communities met with relevant federal agencies to discuss how the lack of access to water and sanitation affects their communities, and to offer solutions.²³ Such meetings are especially important in relation to multi-country hearings, because government actors are not invited by the IACHR to participate.

Additionally, when the IACHR makes oral requests for information to government representatives, advocates can use the opportunity to follow-up with the U.S., and reiterate the request, in writing, to the government, and to conduct additional follow-up.

CIVIL SOCIETY MOBILIZATION

After a hearing, advocates can continue to conduct outreach with impacted communities and allies to galvanize interest in an issue and build new support to address particular human rights concerns. These efforts can expand upon initial outreach, capitalize on any new political or legal developments that emerge after the hearing, and further strengthen accountability efforts.

CONCLUSION

Thematic hearings at the Inter-American Commission on Human Rights offer an important venue for U.S. human rights advocacy. Increasingly, U.S. advocates use these hearings as a platform to raise awareness of human rights issues, to call for specific government action to respect and protect human rights, and to strengthen collaboration with local, national, and regional partners. Based on interviews and independent research, this resource distills the unique nature of thematic hearings and offers recommendations on ways that advocates can use hearings to achieve an array of advocacy goals.

Advocates can maximize the impact of thematic hearings by developing a strategic and coordinated approach to communication, media engagement, and collaboration with human rights allies. Building on the lessons learned from past hearings, U.S. advocates can continue to leverage hearings as a vital component of efforts to build the record on human rights in the United States.

APPENDIX I: COMMISSION RULES GOVERNING THEMATIC HEARINGS

Commission Rules of Procedure detail the formal procedural requirements for the thematic hearing process (Specifically articles 61-63; 65-70).²⁴ The Commission ultimately determines which hearings to grant based on a number of discretionary factors, and the precise rationale is very rarely made public. This section synthesizes the key elements of the Rules, but the discussion is not exhaustive, and advocates should conduct a thorough review of the Rules before submitting a hearing request.

HEARING REQUESTS

Civil society actors and governments can request thematic hearings. In practice, the Commission begins accepting requests for hearings several months in advance of its public periods of sessions. The dates of each session and the IACHR call for hearing requests are posted on the Commission's website.²⁵ Requests must be submitted through the Commission's online system, in writing, at least fifty days before the beginning of the Commission session. A request must include the purpose of the hearing and the names of proposed civil society witnesses and experts, as well as a point of contact.

COMMISSION COMMUNICATIONS AND NOTIFICATION

The Executive Secretariat informs the parties of the exact date, place, and time of the hearing at least one month before the proposed hearing date. Prior to the hearing, the Commission will notify the parties, either orally or in writing, as to whether the hearing will be private or public. (Historically, the Commission has not notified civil society when a request is denied, but this practice is changing.)

PRESENTATION OF INFORMATION & TESTIMONY

Parties to a hearing can present any form of information during the hearing, and include any speakers, as long as the Commission receives advance notice of speakers and the speakers keep within the allotted time. The Commission may also include witnesses or experts on its own initiative or at the request of a party, and will notify the parties to the hearing in advance if this occurs.²⁶ During the hearing, speakers must indicate intent to tell the truth.

The IACHR's Rules of Procedure establish various protections for speakers to avoid reprisals for their involvement in the hearing. Moreover, at the express request of the interested person, the Commission may keep the name and identity of a witness or expert confidential.

PRIVATE VS. PUBLIC HEARINGS

Anyone can attend public hearings, and no preliminary registration is required. Participants simply register with security staff upon entering the building. Press members and journalists may enter the hearings and use recording devices, laptops, and cameras, so long as they do not interfere with the proceedings. For public hearings, a live stream of the hearings is also available via the IACHR website. The IACHR website also contains photographs of public hearings and audio recordings.²⁷

At its own initiative or the request of an interested party, the Commission can decide to hold private hearings. The Rules of Procedure do not specify the time frame within which a petitioner or the government can ask for a hearing to be made private. Importantly, neither the public nor the press can enter a private hearing. For private hearings, there is no webcast.²⁸

According to the Rules of Procedure, the Commission prepares minutes for all hearings. The minutes document the time and date, the participants, the decisions adopted by the Commission, and the documents submitted by the parties. The Commission also records testimony. The Rules indicate that parties to a hearing can request the minutes.

APPENDIX II: PAST THEMATIC HEARINGS RELATED TO THE UNITED STATES

The following table is based on information publicly available on the IACHR's website. Videos are available for most of the following hearings via YouTube or the [Commission's website](#).

HEARING TITLE	PARTICIPANTS
<i>Human Rights Situation of People Affected by the United States' Rendition, Detention, and Interrogation Program (2015)</i>	ACLU, Global Justice Clinic, NYU School of Law, United States
<i>Impact of Extractive Industries on the Sacred Sites of Indigenous Peoples in the United States (2015)</i>	Navajo Nation, Laguna Pueblo, San Carlos Apache Nation, Inter-Tribal Council of Arizona, Inc., United States
<i>Reports of Excessive Use of Force by the Police against People of Africa Descent in the United States (2015)</i>	Robert F Kennedy Human Rights (RFK Human Rights), St. Louis University School of Law, United States
<i>Human Rights and Water in America (2015) (Regional)</i>	Acción Solidaria para el Desarrollo (COOPERACIÓN), Perú / Asociación Interamericana para la Defensa del Ambiente (AIDA), Regional / Asociación Pro Derechos Humanos (APRODEH), Perú/ Bienaventurados los Pobres (BePe) / Colectivo SumajKawsay, Argentina / Centro de Acción Legal Ambiental y Social (CALAS), Guatemala / Centro de Derechos Humanos "Bartolomé Carrasco Briseño A.C." (BARCA-DH), México / Centro de Estudios para la Justicia Social 'Tierra Digna', Colombia / Centro Hondureño de Promoción para el Desarrollo Comunitario (CEHPRODEC), Honduras / Centro de Incidencia Ambiental (CIAM), Panamá / Centro de Investigación sobre Desarrollo y Comercio (CEICOM), El Salvador / Comité de Unidad Campesina (CUC), Guatemala / Comitê Nacional em Defesa dos Territórios frente a Mineração, Brasil / Equipo de Reflexión, Investigación y Comunicación de la Compañía de Jesús (ERIC-RP), Honduras / Fundación para el Debido Proceso Legal (DPLF), Regional / Grupo Internacional de Trabajo sobre Asuntos Indígenas (IWGIA), Regional / Justiça Global, Brasil / Observatorio Ciudadano, Chile / Pensamiento y Acción Social (PAS) / The US Human Rights Network (USHRN) / UC Berkeley, School of Law, International Human Rights Law Clinic (IHRLC) / Alabama Center for Rural Enterprise Co. Inc. / The Albuquerque, Center for Peace and Justice / Detroit-Michigan Chapter of the National Lawyers Guild / Environmental Justice Coalition for Safe Water (EJCW) / Food & Water Watch / Global Initiative for Economic, Social and Cultural Rights / Human Rights Advocates / Massachusetts Global Action-Color of Water Project / The Metro Atlanta Task Force for the Homeless / Michigan Welfare Rights Organization / People's Water Board / National Economic & Social Rights Initiative / National Lawyers Guild / New Mexico Environmental Law Center / The Program on Human Rights and the Global Economy (PHRGE), Northeastern University / Santa Clara University's International Human Rights Clinic School of Law / Unitarian Universalist Service Committee / Law Office of Curtis Cooper / CUNY Law School / Edwards and Jennings, PC / Department of Water and Sewage, Pro Bono Legal Committee / Sugar Law Center

HEARING TITLE	PARTICIPANTS
<i>Criminal Justice and Race in the United States (at the State's initiative) (2015)</i>	ACLU, Center for Constitutional Rights, Lawyers' Committee for Civil Rights Under Law, United States
<i>General Human Rights Situation in Puerto Rico, United States (2015)</i>	Comite de America Latina y el Caribe para la Defensa de los Derechos de la Mujer (CLADEM), ACLU, Clínica Internacional de Derechos Humanos de la Facultad de Derecho de la Universidad Interamericana de Puerto Rico, Clínica de Asistencia Legal de la Escuela de Derecho de la Universidad de Puerto Rico, Clínica de Derechos Humanos de la Universidad de Santa Clara, United States
<i>Human Rights Situation of Persons Deprived of Liberty at the Guantánamo Naval Base, Cuba (2015)</i>	Lieutenant Colonel Sterling Thomas, Major Raashid Williams, James G. Connell, Mr. Walter B. Ruiz, Esq., Lieutenant Colonel Sean M. Gleason, Lieutenant Colonel Jennifer N. Williams, Juan Mendez , Melina Milazz , Dr. Stephen Xenakis, United States
<i>Human Rights Situation of Child Victims of Trafficking and Sexual Exploitation in the United States (2015)</i>	RFK Human Rights, Human Rights Project for Girls (Rights4Girls), United States
<i>Human Rights Situation of Migrant and Refugee Children and Families in the United States (2014)</i>	Transnational Legal Clinic, University of Pennsylvania Law School, University of Texas School of Law Immigration Clinic, State of the United States, Center for Justice and International Law (CEJIL), ACLU, Washington Office on Latin America (WOLA), Women's Refugee Commission (WRC), National Immigrant Justice Center (NIJC), National Alliance of Latin American and Caribbean Communities, United States
<i>Reports of Racism in the Justice System of the United States (at the Commission's Initiative) (2014)</i>	Lawyers' Committee for Civil Rights Under Law, ACLU, National Association for the Advancement of Colored People (NAACP), ABA Criminal Justice Section, United States
<i>Human Rights Situation of Persons Deprived of Liberty in Texas, United States (2014)</i>	University of Texas, School of Law Immigration Clinic, Texas Civil Rights Project, United States
<i>Human Rights Situation of Workers in the Meatpacking and Poultry Industry in the United States (2014)</i>	Southern Poverty Law Center, Midwest Coalition for Human Rights, Nebraska Applesseed Center for Law in the Public Interest, United States
<i>Impact of "Stand Your Ground" Laws on Minorities in the United States (2014)</i>	NAACP, University of Miami Human Rights Clinic, Community Justice Project, Florida Legal Services, Inc., The Dream Defenders, Inc., Free Marissa Now Mobilization Campaign, United States
<i>Human Rights Situation of Detainees at Guantánamo Naval Base, United States (2013)</i>	CEJIL, Center for Constitutional Rights (CCR), U.N. Special Rapporteur Against Torture, United States

HEARING TITLE	PARTICIPANTS
<i>Human Rights of Migrants and Legislative Reforms in the United States (2013)</i>	CEJIL, Gibbs Houston Pauw, National Day Laborer Organizing Network (NDLON), American Federation of Labor – Congress of Industrial Organizations (AFL-CIO), Stanford Immigrant Rights Clinic, Boston College Post-Deportation Human Rights Project, Immigration Equality, Advocates for Human Rights, Boston University, United States
<i>Human Rights and Hiring Practices under the H-2 Program in the United States (2013)</i>	Transnational Legal Clinic, University of Pennsylvania Law School, FUNDAR, Centro de Análisis e Investigación, Centro de los Derechos del Migrante (CDM), AFL-CIO, Southern Poverty Law Center, United States
<i>Human Rights and Solitary Confinement in the Americas (2013) (Regional)</i>	ACLU
<i>Human Rights Situation of Children Deprived of Liberty with Adults in the United States (2013)</i>	ACLU, United States
<i>Human Rights Situation of Persons Detained in the Naval Base of Guantanamo, United States (2013)</i>	CEJIL, CCR, Physicians for Human Rights (PHR), REPRIEVE, United States
<i>Measures on Human Trafficking in the United States (2013)</i>	Freedom Network (USA), United States
<i>Rights of Migrants and Farm Workers in the United States (2012)</i>	RFK Human Rights, United States
<i>Human Rights Situation of Detained and Deported Migrants along the Southern Border of the United States (2012)</i>	Rights Working Group, Women’s Refugee Commission, National Immigration Forum, No More Deaths, ACLU of New Mexico – Regional Center for Border Rights, Latin America Working Group Education Fund, United States
<i>Violence Against Indigenous Women in the United States (2012)</i>	Indian Law Resource Center, United States
<i>Human Rights and Deportation and Detention Policies of Migrants in the United States (2011)</i>	Transnational Legal Clinic at University of Pennsylvania Law School, Immigration Clinic at University of Texas School of Law, Rights Working Group, Women’s Refugee Commission, National Immigration Forum, United States
<i>Situation of Indigenous Children in Schools in the United States (2010)</i>	Boarding School Healing Project and others, United States
<i>Accountability for Violations of Human Rights in the United States (2009)</i>	World Organization for Human Rights USA, Center for Constitutional Rights, United States
<i>Immigrant Detention and Deportation Policies in the United States (2009)</i>	Transnational Legal Clinic at University of Pennsylvania Law School, Immigration Clinic at University of Texas School of Law, United States

HEARING TITLE	PARTICIPANTS
<i>Border Wall in Texas, United States (2009)</i>	University of Texas Working Group on Human Rights and the Border Wall, United States
<i>Due process problems in the application of policies on immigrant detention and deportation in the United States (2008)</i>	Transnational Legal Clinic at University of Pennsylvania Law School, United States
<i>Detainees at the Guantánamo Naval Base (2008)</i>	CEJIL, CCR, United States
<i>Human Rights Situation of Migrant Workers, Refugee Children and Other Vulnerable Groups in the United States (2007)</i>	Rights Working Group, Women’s Commission for Refugees, United States
<i>Situation of persons affected by mandatory minimum sentences in the United States (2007)</i>	ACLU, Justice Roundtable, Open Society Policy Center, NAACP, United States
<i>Allegations of Acts of Torture by the Police against Afro-descendants in Chicago, US (2005)</i>	Locke Bowman, McArthur Justice Center, United States
<i>Human Rights Situation of Migrant Workers in the United States (2005)</i>	RFK Human Rights, International Human Rights Law Clinic at American University Washington College of Law, United States
<i>Information on Racial Discrimination in the United States (2003)</i>	International Human Rights Law Group, United States
<i>Human Rights Situation in Puerto Rico (2000)</i>	Colegio de Abogados de Puerto Rico, Manuel Rivera, United States
<i>Follow Up to the Roach Decision and information on the application of the death penalty to minors, United States (1999)</i>	Citizens United for the Rehabilitation of Errants (CURE), Charles Sullivan, United States
<i>General Situation related to the United States’ Immigration Service and the Deportation Process (1997)</i>	Florida Immigrant Advocacy Center, United States

APPENDIX III: ADDITIONAL RESOURCES ON THE IACHR

- Caroline Bettinger-Lopez, *The Inter-American Human Rights System: A Primer*, 42 CLEARINGHOUSE REV. J. OF POVERTY L. & POL. 581 (2009).
- Human Rights Institute, *Primer on Recommendations from the Inter-American Human Rights Commission & the United Nations* (June 2015)
- International Justice Resource Center, *Advocacy before the Inter-American System: A Manual for Attorneys and Advocates* (2014)
- Indian Law Resource Center, *The Inter-American Human Rights System: Combating Violence Against Native Women in the United States* (Nov. 2013)

APPENDIX IV: SELECT THEMATIC HEARING REQUESTS FROM 2015

The Commission granted the following hearing requests submitted by advocates regarding U.S. human rights issues in 2015.²⁹

- *Human Rights and Water in America:*
http://www.ushrnetwork.org/sites/ushrnetwork.org/files/unitedstates.ushrn_.righttowater_0.pdf
- *Human Rights Situation of People Affected by the United States' Rendition, Detention, and Interrogation Program:*
https://www.aclu.org/sites/default/files/field_document/iachr_hearing_letter_request_aclu_nyu_july_27_2015.pdf
- *Impact of Extractive Industries on the Sacred Sites of Indigenous Peoples in the United States:*
<https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/usanavajonationindigenouspeoples.pdf>
- *Human Rights Situation of Migrant and Refugee Children and Families in the United States:*
https://www.aclu.org/files/assets/iachr_-_human_rights_situation_of_migrant_and_refugee_children_and_families_in_the_united_states-v2.pdf#page=12
- *General Human Rights Situation in Puerto Rico, United States:*
<https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/prcoalitiongeneralsituation.pdf>
- *Human Rights Situation of Persons Deprived of Liberty at the Guantánamo Naval Base, Cuba:*
https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/mustafa_al_hawsawi_hearing_proposal_to_the_iacmhr_jan_2015.pdf

Endnotes

-
- ¹ The Inter-American Commission on Human Rights, *What is the IACHR?*, <http://www.oas.org/en/iachr/mandate/what.asp>.
- ² Member States of the Organization of American States are: Antigua and Barbuda, Argentina, the Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States of America, Uruguay, and Venezuela. The OAS is headquartered in Washington, D.C., and has offices in most of the Member States.
- ³ Rules of Procedure of the Inter-American Commission (2013), Chapter II, available at <http://www.oas.org/en/iachr/mandate/Basics/rulesiachr.asp>.
- ⁴ See Center for Human Rights and Humanitarian Law, Human Rights Brief: *Reports of Excessive Use of Force by the Police Against People of African Descent*, at <http://hrbrief.org/2015/10/reports-of-excessive-use-of-force-by-the-police-against-people-of-african-descent-in-the-united-states/>.
- ⁵ See ACLU, *IACHR Hearing on Freedom of Expression and Communications Surveillance by the United States*, at <https://www.aclu.org/iachr-hearing-freedom-expression-and-communications-surveillance-united-states>.
- ⁶ See Women's Refugee Commission, *Testifying Before the Inter-American Commission on Human Rights*, at <https://womensrefugeecommission.org/about/staff/55-programs/detention/825-iachr>.
- ⁷ Inter-American Commission on Human Rights, *Report on Immigration in the United States: Detention and Due Process* (2010), available at <http://www.cidh.org/pdf%20files/ReportOnImmigrationInTheUnited%20States-DetentionAndDueProcess.pdf>.
- ⁸ Inter-American Commission on Human Rights, *Juvenile Justice and Human Rights in the Americas* (2011), available at <http://www.oas.org/en/iachr/children/docs/pdf/JuvenileJustice.pdf>.
- ⁹ See Center for Human Rights and Humanitarian Law, Human Rights Brief: *Human Rights Situation of Children Deprived of Liberty with Adults in the United States* (March 14, 2013), at <http://hrbrief.org/2013/03/human-rights-situation-of-children-deprived-of-liberty-with-adults-in-the-united-states/>.
- ¹⁰ ACLU, *ACLU to Testify Today: Solitary Confinement is a Human Rights Violation Happening on U.S. Soil*, at <https://www.aclu.org/blog/aclu-testify-today-solitary-confinement-human-rights-violation-happening-us-soil>.
- ¹¹ See NAACP, *Human Rights Advocates Testify Before Human Rights Commission on Stand Your Ground Laws*, at <http://www.naacp.org/press/entry/human-rights-advocates-testify-before-human-rights-commission-on-stand-your-ground-laws>.
- ¹² See *Hearing on Freedom of Expression and Communications Surveillance by the United States*, *supra* n. 5.
- ¹³ The press release may mention particular country hearings in some level of detail. See, e.g., Press Release, *The IACHR Wraps Up its 153rd Sessions* (Nov. 7, 2014), http://www.oas.org/en/iachr/media_center/PReleases/2014/131.asp. However, this is not always the case. See, e.g., Press Release, *The IACHR Wraps Up its 156th Session* (Oct. 28, 2015), http://www.oas.org/en/iachr/media_center/PReleases/2015/120.asp.
- ¹⁴ U.S. Human Rights Network, *Hearing Request: Barriers to Access to Safe and Affordable Water in the United States* (July 28, 2015), at http://www.ushrnetwork.org/sites/ushrnetwork.org/files/unitedstates.ushrn_righttowater_1.pdf.
- ¹⁵ The regional hearing on the human right to water in the Americas included the U.S.-based U.S. Human Rights Network, as well as Asociación Pro Derechos Humanos (APRODEH), Asociación Interamericana para la Defensa del Ambiente (AIDA), Acción Solidaria para el Desarrollo (COOPERACIÓN), Perú, Bienaventurados los Pobres (BePe), Colectivo SumajKawsay, Argentina.
- ¹⁶ The Commission may send a formal letter when a request is denied, but this process has been less consistent. A request that is denied in one session will not be rolled over; it must be resubmitted and updated separately for each period of sessions.
- ¹⁷ More information on the BHRH Inter-American Human Rights System Working Group can be found at <http://web.law.columbia.edu/human-rights-institute/bhrh-lawyers-network/inter-american-working-group>.
- ¹⁸ See Santa Clara International Human Rights Clinic, *Thematic Hearing Request on the General Human Rights Situation in Puerto Rico* (Jan. 5, 2015), at <https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/prcoalitiongeneralsituation.pdf>.
- ¹⁹ See ACLU, *IACHR Hearing on Lack of Workplace Protection for Undocumented Workers*, at <https://www.aclu.org/cases/iachr-hearing-lack-workplace-protection-undocumented-workers> (including the Hearing Briefing Book).
- ²⁰ Footage of the 2015 hearing on the human rights situation of persons affected by the U.S. Rendition, Detention, and Interrogation Program is available at <https://www.youtube.com/watch?v=v85wEOKXRWA>.
- ²¹ See Press Release, *IHRC to Present Human Rights Violations in Costa Rica and Puerto Rico Before Inter-American Commission on Human Rights in Washington D.C.* (March 13, 2015), <http://law.scu.edu/ihrblog/ihr-to-present-human-rights-violations-in-costa-rica-and-puerto-rico-before-inter-american-commission-on-human-rights-in-washington-d-c/>.

²² To disseminate information on the 2013 Commission hearing on solitary confinement, the Anti-Torture Initiative developed a site to aggregate the video, statements, and related press releases. See Anti-Torture Initiative, *Hearing on Solitary Confinement Before the Inter-American Commission on Human Rights*, <http://antitorture.org/hearing-on-solitary-confinement-before-the-inter-american-commission-on-human-rights/>. At the conclusion of the 2015 right to water hearing, advocates compiled an array of resources related to the hearing on the US Human Rights Network Website, <http://www.ushrnetwork.org/our-work/project/waterisahumanright-grassroots-groups-testified-iachr-hearing>.

²³ See Santa Clara University School of Law, *Clinic Informs International Body and U.S. Govt. about Violations of Human Right to Water in the United States* (Nov. 2, 2015), at <http://law.scu.edu/ihrblog/clinic-informs-international-body-and-u-s-govt-about-violations-of-human-right-to-water-in-the-united-states/>.

²⁴ Rules of Procedure of the Inter-American Commission on Human Rights, *supra* n. 3.

²⁵ Inter-American Commission on Human Rights, *Sessions and Hearings*, <http://www.oas.org/en/iachr/sessions/default.asp>.

²⁶ Rules of Procedure of the Inter-American Commission, *supra* n. 3, art. 65 (4). The Commission also has the discretion to accept information that does not follow the procedures established in the Rules. It may do so "in extraordinary circumstances and for the purpose of safeguarding the evidence," and must, in such cases, take measures guaranteeing procedural balance between parties. *Id.*, art. 65(6).

²⁷ Inter-American Commission on Human Rights, *Multimedia Section, Sessions*, <http://www.oas.org/es/cidh/multimedia/sesiones/>.

²⁸ Inter-American Commission on Human Rights, *Information on Hearings*, http://www.oas.org/en/iachr/media_center/coverage.asp.

²⁹ The IACHR also held two additional hearings regarding the United States in 2015: *Excessive Use of Force by the Police against People of African Descent in the United States* and *Human Rights Situation of Child Victims of Trafficking and Sexual Exploitation in the United States*.