

# The Challenge of Selecting the Best Candidates

## The upcoming election of members of the IACHR and the Inter-American Court

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On June 15 and 16, the 45<sup>th</sup> General Assembly (GA) of the Organization of American States (OAS) will be held in Washington D.C. Notwithstanding the last-minute obstacles (Haiti withdrew its offer to serve as the host country just three months ago, and the event's new location was only announced at the end of March) and the scant public information on the content and dynamic of the meeting, it will be extremely important for the hemisphere.

After 10 years under the leadership of Chilean national José Miguel Insulza, this will be the first GA led by Luis Almagro, the new Uruguayan Secretary General who took office in May 26<sup>th</sup>. Its central theme, the “**Present and Future of the OAS,**” is at the core of current debate, and the differences of opinion on the issue are greater than the points of consensus. Indeed, the hemispheric body must find a new meaning for its existence in a region that is completely different from the one in which it was created, in a new geopolitical environment, with new leaders and alliances, in which there are significant points of agreement among the Member States but also major differences. Who will take part in this discussion? How will it be held? What role will the citizens of the Americas have? All of these questions remain unanswered.

In addition to this crucial discussion, **four new members of the Inter-American Commission on Human Rights (IACHR) and four new judges of the Inter-American Court of Human Rights will be elected at this General Assembly.** This is significant. This election will drastically alter the composition of both bodies (each one of which has seven members). Given its relevance, we expected that the OAS, following a practice that began at the last election of IACHR commissioners, would hold a public forum with the candidates under the auspices of the Permanent Council. This was requested repeatedly by civil society organizations throughout the region. Unfortunately, several States—which put forward candidates in these elections—firmly opposed the forum, and ultimately it will not be held. Who are the candidates? What are their backgrounds? Do they have the requisite experience for these positions? Are they really independent of the States that have proposed them? What do they think of the mandate and role of the bodies to which they have been nominated? How do they see the relationship between those bodies and the OAS? These are more unanswered questions.

Against this backdrop of non-transparency, and with the support of more than 60 organizations in the region, a very valuable initiative got underway a few months ago: an [Independent Panel of Experts](#) whose objective is to increase the transparency and visibility of this election process, while offering an **independent evaluation of the 11 candidates nominated for the eight available positions**. The Panel will additionally offer **recommendations on how to improve the nomination processes at the national level and the election process at the international level**, all with the aim of strengthening the Inter-American Human Rights System. The Panel is composed of [five renowned jurists](#): Marion Bethel (Bahamas), Belisário dos Santos Jr. (Brazil), Cecilia Medina (Chile), Juan Méndez (Argentina), and Naomi Roht-Arriaza (United States). This initiative is inspired by a similar one regarding the selection of the International Criminal Court' members, created to ensure the transparency and independence of its judges.

Tomorrow, **June 5<sup>th</sup> of 2015**, Professors Cecilia Medina and Juan Méndez – members of the Independent Panel – will participate in the [launching event](#) of the **final report that evaluates the candidates**. This report has been formally submitted to the OAS Secretary General already.

Given the States' refusal to hold a forum for the formal presentation of the candidates, the Independent Panel of Expert' initiative is the only space that is separate from the negotiations for the election of commissioners and judges. We hope that in future elections of this kind, OAS Secretary General Luis Almagro will bring back the wise practice of organizing a public forum with the candidates.

What is the fear?

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