

# Final report

## External Evaluation of the Inter-American Commission on Human Rights Strategic Plan 2017-2021

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### Date:

31 January 2022



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## List of acronyms and abbreviations

CEJIL	Center for Justice and International Law
CIMAC	Communication and Information for Women, Mexico
COVID-19	Corona Virus Disease
CNDH	National Human Rights Commission, Mexico
D.C.	District of Columbia
EE.UU.	United States of America (by its Spanish abbreviation)
ESCR	Economic, social, and cultural rights
ESCA	Economic, social, cultural, and environmental rights
ESCR	Economic, social, and cultural rights
IACHR	Inter-American Commission on Human Rights
IAHRS	Inter-American Human Rights System
ibid.	“Ibidem” (Latin for: “the same”)
ICAI	Independent Commission for Aid Impact (of the United Kingdom)
Idehpucp	Institute of Democracy and Human Rights (of the Pontifical Catholic University of Peru), (by its Spanish abbreviation)
IOM	International Organization for Migration
KAP	Knowledge, attitude, and practice
LGBTI	Lesbian, gay, bisexual, and transgender persons
LGBTIQ+	Lesbian, Gay, Bisexual, Trans, Intersex and Queer
M&E	Monitoring and Evaluation
MESA	Special Follow-up Mechanism on the Ayotzinapa matter (by its Spanish abbreviation)
MESENI	Special Monitoring Mechanism for Nicaragua (by its Spanish abbreviation)
MoU	Memorandum of Understanding
NGO	Non-Governmental Organization
OAS	Organization of American States
OHCHR	United Nations’ Office of the High Commissioner for Human Rights
ONAMIAP	National Organization of Andean and Amazonian Indigenous Women of Peru (by its Spanish abbreviation)
P	Program
PUPC	Pontifical Catholic University of Peru (by its Spanish abbreviation)
SACROI	Rapid and Integrated Response Coordination Unit (by its Spanish abbreviation)

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SDG	Sustainable Development Goals
SIMORE	IACHR Recommendations Monitoring System (by its Spanish abbreviation)
SMART	Specific, measurable, achievable, relevant and time-bound
SUM	Sum
ToR	Terms of Reference
UK	United Kingdom
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
U.S.	United States
US\$	United States Dollar
WHO	World Health Organization
%	Percentage

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## Executive summary

This document contains the final report of External Evaluation of the Inter-American Commission on Human Rights Strategic Plan 2017-2021. The Inter-American Commission on Human Rights (IACHR) implements this second Strategic Plan with a total budget of US \$ 68.015.280 between 2017-2021.

### Strategic Plan background

Strategic Plan 2017-2021 was developed in a participatory manner through a process that involved over 530 people and 343 entities. It followed the first Strategic Plan, which covered 2011 through 2016. The Plan sets out the global strategy through 5 Strategic Objectives and 21 Programs of work. A first objective seeks to contribute to the development of a more effective, timely and accessible inter-American justice to overcome practices of impunity in the region and achieve integral reparation for the victims. With its second objective the IACHR seeks to have an impact with prevention measures and in the factors that give rise to human rights violations. A third objective seeks to promote democracy, human dignity, equality, justice, and fundamental freedoms. The fourth objective seeks to promote the universalization of the Inter-American Human Rights System (IAHRS). The fifth objective seeks to guarantee the availability of the needed resources to strengthen the institutional role with the goal of achieving a positive impact in respect of human rights in the region. Special Program 21 seeks to substantially improve the monitoring of recommendations made by the IACHR to improve the levels of effectiveness of the Inter-American Human Rights System and to have a transformative impact on human rights for all persons in the Americas.

### Evaluation background and objective

The purpose of this evaluation was to evaluate the results of the IACHR in the period covered by the plan in relation to the strategic intent expressed in the objectives of the Strategic Plan and its contribution to the ultimate goal of the Strategic Plan 2017- 2021, to the vision and mission of the IACHR.

The evaluation aimed to address the use of the 2017-2021 Strategic Plan as a guiding tool for the organization's management. Document lessons learned related to the formulation, implementation, and management of the strategic plan. Issue recommendations for the formulation, design, and implementation of the new plan.

The evaluation had the following scope, using internationally agreed evaluation criteria:

- Relevance:
  - Have the work carried out and the results achieved during the plan period been aligned with the objectives, priority issues, and cross-cutting themes defined in the Strategic Plan?
- Effectiveness:
  - How has the IACHR performed during the Strategic Plan period in relation to the strategic intent/orientation expressed in the objectives of the Strategic Plan?
  - How effective has the IACHR's work been in contributing to the expected results defined in its three fundamental pillars?
  - Has the Strategic Plan been effective in strengthening the IACHR's management in the observance, promotion, defense, and protection of human rights in the Americas?
- Efficiency:



- How much have the results of the IACHR in the Plan period depended on the procurement, distribution, and allocation of funds?
- Sustainability:
  - To what extent are the results to which the IACHR has contributed sustainable during the implementation of the Strategic Plan

This evaluation benefits from insights of a recent external evaluation of the U.S.-funded program of the IACHR (July 2018 to July 2022), undertaken between May and August 2021.

### Evaluation approach

This theory-based evaluation used a mixed-methods approach, reconstructing the Strategic Plans' (2017-2021) intervention logic, also called theory of change. For the data collection, the evaluation team<sup>1</sup> used a document review, semi-structured interviews and four online surveys for data collection, which took place in Spanish and English.

The evaluation took place between September and November 2021, with the final report delivery scheduled for December 2021. . The evaluator invited IACHR stakeholders in all OAS Member States and Cuba to participate in the evaluation, including relevant government representatives from all Member States. Stakeholders of 22 out of 35 countries responded. The latter constitutes a high coverage. Eighty stakeholders participated in telephone interviews,<sup>2</sup> and 231 out of 862 stakeholders completed an online survey (26,6% response rate). Stakeholders participating in IACHR capacity building events shows a remarkably high survey response rate (44,7%). In total, the evaluation team managed to consult 313 stakeholders (63,6% women, 33,5% men and 2,9% without specification). Out of the 35 Member States invited for telephone interviews, eight Member States participated in the evaluation (12 interviewees). Besides, nine donors (15 interviewees) participated, 29 IACHR personnel, six Commissioners and 251 non-State stakeholders.

### Sampling

The evaluators used a purposeful sampling based on the "most significant" change approach, i.e., where the IACHR left the most profound footprint and most potential for learning transpires. The learning focus is particularly relevant, given the evaluation's purpose to inform the IACHR's next Strategic Plan design. As a result, the evaluation focused on eight out of the 21 programs (P):

P1: Special Procedural Delay Reduction Program, P2: Program to Expand the Use of Friendly Settlements, P3: Program for Strengthen Precautionary Measures, P5: Program to Improve the Scope and Impact of the Monitoring of Human Rights Situations by Theme and Country, P6: Special Rapporteurships Program, P7: Rapid and Integrated Response Coordination Unit, P9: Expanded Program for Training and Promotion of Thought and Culture on Human Rights and P21: Special Program to Monitor IACHR Recommendations.

For a wider stakeholder group **beyond the sampled programs**, the evaluation used an online survey to allow for the largest possible reach of IACHR stakeholders across the entire Western Hemisphere. The evaluation did not encounter significant limitations, given the excellent availability of documentation, including up-to-date monitoring data of very high quality and



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<sup>1</sup> The IACHR contracted an external evaluation team to undertake this evaluation, consisting of the Lotus M&E Group (Dr. Achim Engelhardt, team leader) and the Institute of Democracy and Human Rights (Idehpucp, Dr. Elizabeth Salmon Garate) of the Pontifical Catholic University of Peru (PUPC). The research assistants Ms. Marina Chibli and Ms. Karina Ayala, supported the evaluation process. The evaluation team was not involved in the design or the direct implementation of the Strategic Plan.

<sup>2</sup>, including the IACHR personnel and Commissioners

seamless cooperation with the IACHR team. Figure 1 summarizes the main evaluation findings. Figure 2 explains the color coding for the evaluation assessment.

**Figure 1: Dashboard of key findings by evaluation criteria and main evaluation questions**

Criteria	Assessment	Rationale
Relevance		<p><b>Key findings: The Strategic Plan 2017-2021 served as a beacon guiding the Commission</b></p> <ul style="list-style-type: none"> <li>• The Strategic Plan 2017-2021 provided the dorsal spine for the IACHR with its five strategic objectives and 21 programs.</li> <li>• A stronger focus on prioritized topics showed in the Strategic Plan 2017-2021 compared to the previous one, with an alignment reaching 65% according to Non-State stakeholders and 63% according to Member States.</li> <li>• COVID-19 strongly influenced the implementation of the Strategic Plan, with unforeseen activities emerging.</li> <li>• The Strategic Plan 2017-2021 clearly contributed to the modernization of the IACHR.</li> <li>• Perceptions about the Plan’s contribution to the modernization of the IACHR reached 77% for the IACHR’s results focus, 74% for its transparency, and 77% for its accountability.</li> <li>• The Commission's focus on gender and diversity in its internal structures started to change, with still significant room for improvement for better representation of afro descendants, people from the Caribbean, and French speakers.</li> <li>• The design of the Strategic Plan 2017-2021 was based on a human rights analysis, while limitations show for the use of a gender-based analysis. Reconstructing the Theory of Change showed additional assumptions which were not included in the Strategic Planning documentation</li> </ul>
Efficiency		<p><b>Key findings: The program used resources appropriately, despite heavy OAS rules and procedures and enhanced efficiencies, particularly as a response to mitigate the COVID-19 effects on its work.</b></p> <ul style="list-style-type: none"> <li>• Implementing the Strategic Plan 2017-2021 coincided with restructuring the IACHR Secretariat, which responded positively to the priorities established.</li> <li>• Different staff perceptions about silo culture with at times insufficient communication between teams, and a need emerges for clear responsibilities for all strategic objectives and programs.</li> <li>• The evaluation finds room for improvement concerning the institutional development of the Commission, for example, how gender and diversity are treated in the Commission’s internal structures.</li> <li>• A need emerges for finding a better balance between staff and consultancy positions, which affects staff morale and ultimately institutional development.</li> <li>• The heavy weight of the OAS’s rules and procedures affects the IACHR’s agility, such as the timely procurement of goods and services and the allocation and expenditure of funds.</li> <li>• While the COVID-19 pandemic severely affected the implementation of the Strategic Plan and immediately caused</li> </ul>

		<p>many unplanned demands on the IACHR, it fast-tracked the digitalization of the Commission.</p>
Effectiveness		<p><b>Key findings: The implementation of the IACHR’s Strategic Plan 2017-2021 shows very high effectiveness.</b></p> <ul style="list-style-type: none"> <li>• For the 23 outcome level indicators, 20 have been fully achieved (5 indicators) or exceeded (15 indicators) across the strategic objectives.</li> <li>• At the output level, 64 out of the 71 indicators were fully achieved, exceeded, or showed 75% and higher achievement.</li> <li>• The median of the perceptions of Member States, Non-State stakeholders, donors, and internal personnel for high-level objectives are high and range from 60% to 65%.</li> <li>• Capacity building under the Strategic Plan was very successful, with significant changes at the workplace for participants of IACHR training and an application rate of training reaching 85%.</li> <li>• The evaluation finds timely engagement of the Commission to situations of crisis, for example, in the case of Colombia (2021).</li> <li>• The Commission enables systematic change through its work, beyond addressing the violation of human rights at the personal level. The evaluation found in a random analysis benefits of systemic change for up to 13.95m people.</li> <li>• Assessing the impact of four thematic reports related to the rights of women and people in situations of human mobility shows promising results.</li> <li>• One of the unplanned program results is the Commission’s increasing ability to focus on real-time human rights challenges in the Americas due to increased funding, growing human resources, and reduced backlog in cases. Besides, the action of the IACHR in the light of the COVID-19 pandemic was important and an unplanned positive result</li> </ul>
Sustainability		<p><b>Key findings: The evaluation finds the sustainability of IACHR results is high</b></p> <ul style="list-style-type: none"> <li>• The median for the overall sustainability of results reaches 69% based on stakeholder perceptions.</li> <li>• The strengthening of the petition and case system, friendly settlements, and precautionary measures (74%) reaches the highest likelihood of lasting results shows.</li> <li>• The lowest likelihood of sustainability appears for human, financial, and technical resources (57%), based on stakeholder perceptions. However, the low levels of perceived financial sustainability are contradicted by financial data.</li> <li>• The strength of the IACHR management is high based on strong leadership (66%) and the robustness of the Commission’s institutional set-up (70%).</li> <li>• Modernization of IACHR management is based on the introduction of results-based management, a highly professional team, and the strong leadership of the Commission.</li> </ul>

**Conclusions:** The evaluation concludes that the Strategic Plan 2017-2021 with its closely aligned work was very highly relevant for the IACHR to fulfill its vision and mission. The restructuring of the Commission clearly contributed to the modernization of the IACHR combined with setting new standards, creating, or streamlining processes, showing a high efficiency. However, room for improvement shows how gender and diversity are addressed in the Commission's internal structures. Heavy bureaucracy undoubtedly affects the Commission's operational efficiency. Compared to other international organizations, the IACHR swiftly mobilized successful mitigation measures to keep operating, and in fact accelerating its work in the pandemic context. The Commission was very highly effective in implementing its Strategic Plan, including its Strategic Objective and related targets. Despite many challenges, the sustainability of the IACHR's results is high and its resilience elevated due to strong systems and procedures.

Based on the key findings and the conclusions, the following targeted, prioritized, and time-bound, **recommendations** emerge.

### **Relevance**

**R1: IACHR senior management:** Continue making balance reports on the implementation of the Strategic plan with a focus on results. Focus the dissemination of the IACHR's work more on the effects, results, changes achieved in the protection and defense of rights than on the count of actions and products

**Prioritization: high. Next 3-6 months**

**R 2: IACHR Executive Secretary and General Secretariat SG/OAS:** Ensure that for upcoming recruitment processes, underrepresented groups such as afrodescendants, people from the Caribbean, and French speakers are particularly encouraged to apply. Gender and diversity should be systematically included in IACHR's HR recruitment processes and specific time-bound quota could be agreed for this purpose enforce this recommendation.

**Prioritization: very high. Next 3 months**

**R 3: IACHR Executive Secretary:** Ensure that based on a common understanding of gender rights, diversity and vulnerable groups, a relevant analysis fully informs the development of the next Strategic Plan.

For the next Strategic Plan's Theory of Change, include the following assumptions:

- The IACHR remains an efficient multilateral partner
- The convening capacity of the IACHR remains high
- The perception that the neutrality / impartiality of the IACHR remains high

**Prioritization: very high. Next 3 months**

### **Efficiency**

**R4: IACHR Executive Secretary:** Ensure that for the new Strategic Plan, all strategic objectives benefit from a clearly designated person in charge and responsible for implementation and results delivery.

**Prioritization: very high. Next 3 months**

**R5: IACHR Executive Secretary and General Secretariat SG/OAS:** It is recommended that the Executive Secretariat of the IACHR makes the transition to a person-centered management of the workforce and a human rights approach. When establishing objectives and goals in the operational plans consider the normal work capacities of the staff considering a balance between work and personal life. The preparation process must include the perspective of the people who work at the IACHR and the goals must be defined considering efficiency but also the welfare or best interests of the workers.

**Prioritization: high. Next 3-6 months**

**R6a: IACHR Board:** engage in a dialogue with Member States, including State donors from the Americas to promote the Commission's administrative independence from the OAS to accelerate the Commission's modernization also for its administration.

**R6b: The Member States** should support and request the administrative and financial independence of the IACHR, which should have its independent budget line (not combined with the other human rights bodies).

**R6c: Secretary General of the OAS:**

- Support and defense of the technical, administrative, and financial independence of the IACHR.
- Decentralize or delegate on a more permanent basis the signing of contracts for IACHR personnel to its Executive Secretary.
- Avoid interference in the allocation of resources and also in programmatic issues, as the IACHR is a specialized body independent of the GS / OAS.
- Present the IACHR budget to the OAS General Assembly as presented by the IACHR.

**R6d: Executive Secretary of IACHR and Presidency of the IACHR:** Make permanent use of the power established in the statutes to present the budget program to the Secretary General and demand its respect in the instances of the Secretary General of the OAS (according to art. 18 of the statute of the IACHR in its literal h).

**Prioritization: high. Next 3-6 months**

**R7: IACHR senior management and General Secretariat SG/OAS:** Immediately stop the use of private hardware as one measure to ensure the Commission's cybersecurity. Replace private hardware with IACHR equipment, including laptop computers, for example for personnel working remotely.

**Prioritization: very high. Next 3 months**

**Effectiveness:**

**R8: IACHR senior management:** Continue the practice of operationalization the new Strategic Plan using Annual Operation Plans for annual stock taking, results reporting and as required, adaptive management. The IACHR should continue preparing strategic plan balance reports that include monitoring the indicators. In this context, the Strategic Plan must have its own

planning, monitoring and evaluation independent of the action plans of each Strategic Objective, which focuses on strategic directions rather than programs and products. The independence of the IACHR must be guaranteed in the definition of its programmatic indicators on strategic matters.

**Prioritization: very high. Next 3 months**

**R9: IACHR senior management:** To maximize the reach of IACHR trainings, keep using virtual events to the extent possible, combined with presential events where required. Virtual training events seem particularly useful for targeting duty bearers and rights holders in peripheral locations, outside capital cities or in small island locations of the Caribbean.

**Prioritization: high. Next 3-6 months**

**R10: IACHR Executive Secretary:** Continue the implementation of the Impact Observatory and assign a responsible Commissioner. As a complementary measure invest in a systematic documentation and quantification of the impact of Member State's structural measures to avoid underreporting on the Commission's impact. Include a specific section in the Annual report for this purpose titled "Impact of structural measures". To facilitate the reporting of results in terms of the number of beneficiaries, the IACHR systems allow the registration of the number of victims in petitions, cases, and precautionary measures and the disaggregation of data by gender, ethnicity, race, age, or other condition such as poverty, geographic area (rural, urban).

The reported results should also be measured in relation to the number of victims and beneficiaries to later facilitate the measurement of impact.

**Prioritization: high. Next 3-6 months**

**R11a: IACHR Executive Secretary/IACHR senior management:** Efforts are required to enhance the dissemination of thematic reports:

- a) Develop a common policy for the dissemination of thematic reports, which includes the communication strategy, launch events, the frequency of dissemination, the number of publications and videos, and the social networks to be used. The policy should determine the dissemination of the reports should be undertaken regardless of whether the report is financed with a specific fund or project.
- b) Translate thematic reports and press releases announcing their publication in at least one second language other than Spanish, to reach a wider audience.
- c) Optimize web content and microsites to increase search engine ranking and invest in digital marketing
- d) Update the microsites of the thematic reports, publishing statistics or any other relevant information that makes the impact of the reports visible in the region.
- e) Repower IACHR's social networks, especially the YouTube channel, so that short and educational videos are published about the content of the reports.
- f) Use thematic reports in combination with other mechanisms of the IACHR, such as merits reports, friendly settlement agreements, country reports, and precautionary measures.
- g) Maintain a systematic and public record of the policies or regulations of the States that are based on the reports.**
- h) Identify the NGOs and civil society that are dedicated to the protection of the rights of women and migrants in the region, and jointly organize seminars and workshops for the dissemination of thematic reports.

- i) Carry out events, dialogues and conversations with the representatives at the national level of the States for the dissemination of the Thematic Reports.
- j) Make practical guides that summarize the recommendations and standards for the States with guidelines and examples**
- k) Disseminate in the States the good practices or the actions that other States have applied to guarantee or facilitate compliance with International Obligations**

**IACHR Commissioners are responsible for g); j) and k) to provide direction, revise reports and follow up**

**R11b: Member States:**

- Encourage the application of thematic reports in the activity of all state institutions, beyond internal agencies or bodies dedicated to the promotion and protection of human rights.
- Generate cooperation ties with the IACHR, NGOs, and civil society so that dissemination campaigns for thematic reports are implemented in the national territory.

**Prioritization: high. Next 3-6 months**

**R 12: IACHR senior management:** In the context of increasing demand on the IACHR amidst a worsening human rights situation across the Americas, it is recommended to use the Commission's growing budget, increased human resources, and enhanced standards and systems as catalyzing factors to do the following:

- Consolidate institutional strengthening by better internal cooperation across all teams, for example to produce thematic or country reports, building on the excellent cooperation in the cases of SACROI
- Considering the use of independent expert groups for specific tasks to complement internal human resources
- Prominently announce and practically engage in more dialogue with Member States, based on thematic strategies to jointly identify and strategically outline how to address human rights issues specific to those Member States
- Increase data processing to enable early warning for better preparedness
  - The IACHR must work more to assess the risks of possible human rights violations or timely detection of possible human rights crises.
  - The IACHR should have information management platforms and information analysis processes, particularly risks, that make it possible to anticipate and detect possible crisis situations.

**Prioritization: high. Next 3-6 months**

**Sustainability**

**R13a: Member States:** The Member States should continue to strengthen and increase the budget of the IACHR and in particular promote a real increase in the staff financed by the regular fund.

**R13b: Donors:** Consider funding multi-year IACHR projects to enhance the predictability of IACHR budgets

**R 13c: Donors:** Consider the funding of core functions and staff as a longer-term commitment to the Commission

**R 13d: IACHR:** Lead and direct the modernization of the IACHR

**R 13e: IACHR Executive Secretary:** lead the preparation and implementation of next Strategic based of results-based management.

**R 13f: IACHR Executive Secretary /Senior Management:** implement programs aimed at the SE/IACHR modernization.

**Prioritization: high. Next 6 to 9 months**

**Figure 2: Legend for color-coding used for results assessment**





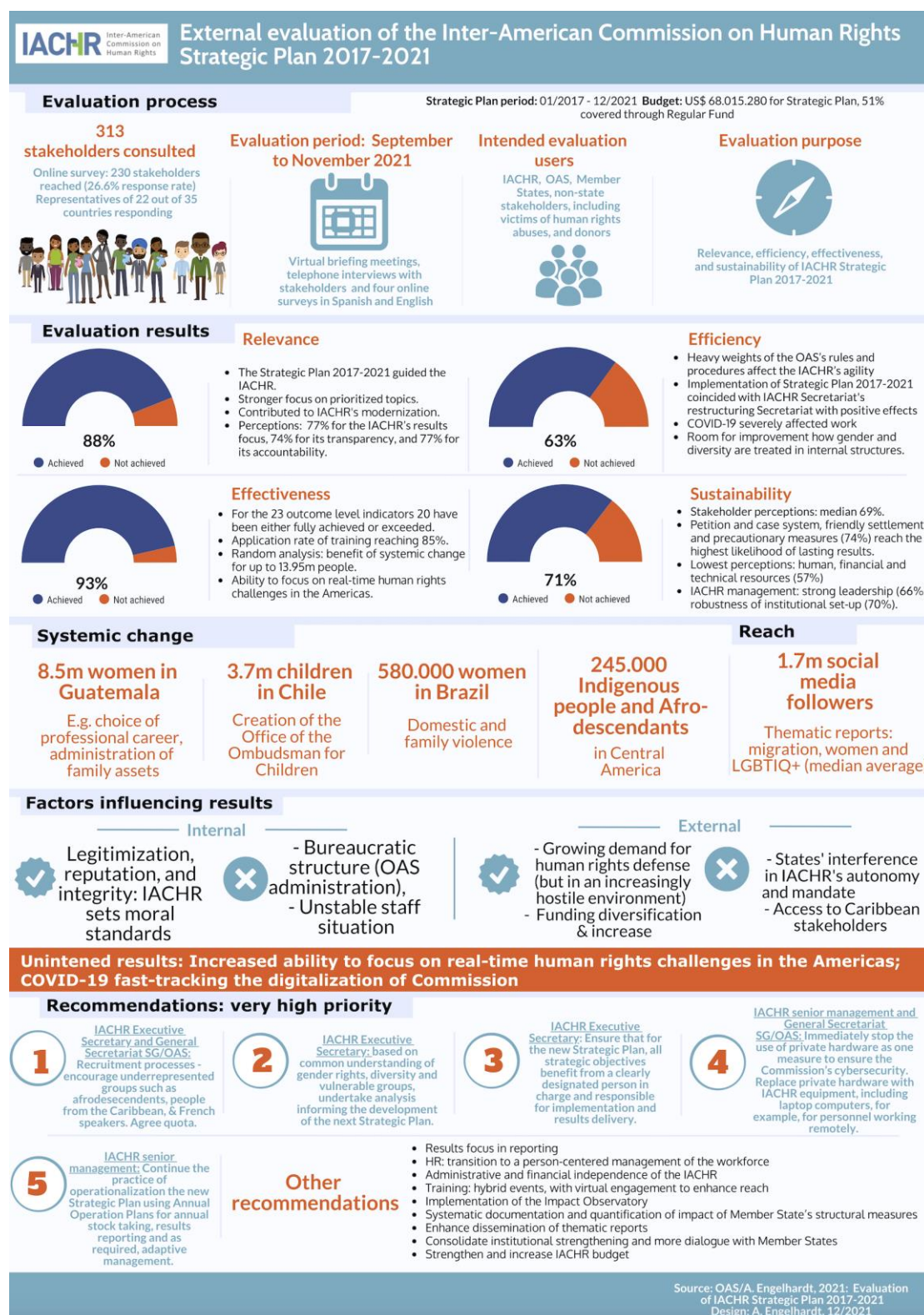
	Green: Strong achievement across the board. Stands out as an area of good practice where IACHR is making a significant positive contribution. Score 76 to 100 out of 100
	Green/amber: Satisfactory achievement in most areas, but partial achievement in others. An area where IACHR is making a positive contribution but could do more. Score 51 to 75 out of 100
	Amber/red: Unsatisfactory achievement in most areas, with some positive elements. An area where improvements are required for IACHR to make a positive contribution. Score 26-50 out of 100
	Red: Poor achievement across most areas, with urgent remedial action required in some. An area where IACHR is failing to make a positive contribution. Score: 0-25 out of 100



Figure 3: Infographic: Overview of IACHR Strategic Plan 2017-20201 evaluation and results





## Section I: Introduction

This document contains the final report of External Evaluation of the Inter-American Commission on Human Rights Strategic Plan 2017-2021.

The Inter-American Commission on Human Rights (IACHR) implements this second Strategic Plan with a total cost of US\$ 111,664,042.78, with 60,9% funding assured. The total budget of the Strategic Plan was US\$ 68,015,280 between 2017-2021.

### 1.1 Strategic Plan background

In March 2017, the IACHR approved its Strategic Plan 2017-2021 during the 161<sup>st</sup> Period of Session.<sup>3</sup>

“This Strategic Plan was developed in a participatory manner through a process that involved over 530 people and 343 entities. The broad participatory process led the Inter-American Commission on Human Rights (IACHR) to identify key topics and effective proposals that it must carry out to address the challenges of the human rights context in the Americas. As an ongoing learning process, the IACHR considered the achievements, lessons learned, and challenges in the implementation of its first Strategic Plan, which covered 2011 through 2016.

The Plan sets out the global strategy through **5 Strategic Objectives** and **21 Programs** of work. A first objective seeks to contribute to the development of a more effective, timely and accessible inter-American justice to overcome practices of impunity in the region and achieve integral reparation for the victims. With its second objective the IACHR seeks to have an impact with prevention measures and in the factors that give rise to human rights violations. A third objective seeks to promote democracy, human dignity, equality, justice, and fundamental freedoms. The fourth objective seeks to promote the universalization of the Inter-American Human Rights System (IAHRS). The fifth objective seeks to guarantee the availability of the needed resources to strengthen the institutional role with the goal of achieving a positive impact in respect of human rights in the region. Special Program 21 seeks to substantially improve the monitoring of recommendations made by the IACHR to improve the levels of effectiveness of the Inter-American Human Rights System and to have a transformative impact on the situation of human rights for all persons in the Americas.

The strategic planning of the IACHR for 2017-2021 is framed in a context of growing levels of incorporation of human rights standards at the sub-regional, national, and local levels, institutional improvements in the area of human rights, and, with this, a greater level of awareness of rights in the region. Despite this, there are still contexts that present challenges at the global level and in the Americas; the reopening of discussions that had been overcome and recent setbacks; as well as a lack of solutions to historical problems in the region have led to a situation in which there are serious risks for the protection of human rights.

Given this situation, the IACHR strategically defined its work for these next years through the linkage of its mandates, functions and mechanisms. For 2017-2021, the IACHR prioritized a series of themes and populations, some of which it has worked on through its Rapporteurships, with a broad and cross-cutting focus, recognizing the interdependence

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<sup>3</sup> OEA/Ser.L/V/II.161 Doc. 27/17

between common causes and problems, manifested in multiple ways for vulnerable individuals and groups.

Aware of its role, the IACHR decided to strategically plan its actions through the elaboration of its Strategic Plan 2017-2021”.

## 1.2 Evaluation background and objective

The evaluation Terms of Reference (ToR)<sup>4</sup> outline the objective of this external evaluation as follows:

“To evaluate the results of the IACHR in the period covered by the plan in relation to the strategic intent expressed in the objectives of the Strategic Plan and its contribution to the ultimate goal of the Strategic Plan 2017- 2021, to the vision and mission of the IACHR.

Evaluate the use of the 2017-2021 Strategic Plan as a guiding tool for the organization's management. Document lessons learned related to the formulation, implementation, and management of the strategic plan. Issue recommendations for the formulation, design, and implementation of the new plan.

The evaluation process will be carried out taking into account the participation of all key stakeholders involved in the development of the Plan and will be conducted in an independent, impartial, objective, transparent and transparent manner and in accordance with the highest professional standards for the conduct of strategic plan evaluations”.

The evaluation contains the following scope, as defined in the main evaluation questions<sup>5</sup>:

- Relevance:
  - Have the work carried out and the results achieved during the plan period been aligned with the objectives, priority issues, and cross-cutting themes defined in the Strategic Plan?
- Effectiveness:
  - How has the IACHR performed during the Strategic Plan period in relation to the strategic intent/orientation expressed in the objectives of the Strategic Plan?
  - How effective has the IACHR's work been in contributing to the expected results defined in its three fundamental pillars?
  - Has the Strategic Plan been effective in strengthening the IACHR's management in the observance, promotion, defense, and protection of human rights in the Americas?
- Efficiency:
  - How much have the results of the IACHR in the Plan period depended on the procurement, distribution, and allocation of funds?
- Sustainability:
  - To what extent are the results to which the IACHR has contributed sustainable during the implementation of the Strategic Plan

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<sup>4</sup> IACHR, 2021: Terms of Reference. External evaluation of the Inter-American Commission on Human Rights Strategic Plan 2017-2021, page 1

<sup>5</sup> Ibid. pages 2-3

The Lotus M&E Group added "why" questions to the extent possible to the main questions listed above to document the rationale for results achievement, including behavior change.

The expected users of this evaluation are the Inter-American Commission on Human Rights, the wider OAS, Member States, donors, local and national counterparts, and right holders.

This evaluation benefits from insights of a recent external evaluation of the U.S.-funded program of the IACHR (July 2018 to July 2022), undertaken between May and August 2021<sup>6</sup>. The United States Department of State funds the program with US\$ 14,263,887.8, being the largest donor to the IACHR during the period of the 2017-2021 Strategic Plan.

The evaluation took place between September and November 2021, with the final report delivery scheduled for December 2021. The evaluator invited IACHR stakeholders in all OAS Member States and Cuba to participate in the evaluation. Stakeholders of 22 out of 35 countries responded. The latter constitutes a high coverage. Eighty stakeholders participated in telephone interviews,<sup>7</sup> and 231 out of 862 stakeholders completed an online survey (26,6% response rate). Stakeholders participating in IACHR capacity building events shows a remarkably high survey response rate (44,7%). In total, the evaluation team managed to consult 311 stakeholders.

Figure 4 shows those participating Member States in dark blue.

The IACHR contracted an external evaluation team to undertake this evaluation, consisting of the Lotus M&E Group (Dr. Achim Engelhardt, team leader) and the Institute of Democracy and Human Rights (Idehpucp, Dr. Elizabeth Salmon Garate) of the Pontifical Catholic University of Peru (PUPC). The research assistants Ms. Marina Chibli and Ms.

Karina Ayala, supported the evaluation process. The evaluation team was not involved in the design or the direct implementation of the Strategic Plan.

**Figure 4: Map of the Americas with stakeholders participating in the IACHR Strategic Plan 2017-2021 evaluation**



**Design: A. Engelhardt, 11/2021**

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<sup>6</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." The recent evaluation consulted 125 stakeholders, including all Member States in South America and North America, but Belize and Canada  
<sup>7</sup>, including the IACHR personnel and Commissioners

### 1.3 Evaluation methodology and approach

For this evaluation, the evaluation team from the Lotus M&E Group (Dr. Achim Engelhardt) and the Institute of Democracy and Human Rights (Idehpucp) of the Pontifical Catholic University of Peru (PUPC) used a **theory-based evaluation methodology**. This methodology addresses the time-lag between the activities and outputs related to implementing the IACHR's strategic plan on the one hand and any changes in human rights practices. The approach was successfully used in recent evaluations for international organizations, including the evaluation of the U.S.-funded program of the IACHR in 2021.

A theory-based evaluation specifies the intervention logic, also called the "theory of change," tested in the evaluation process, as shown in the figure below, based on a concept developed by the University of Wisconsin.

The theory of change is built on a set of assumptions around how the project designers think a change will happen. Logically it is linked to the project logframe.

The added value of theory-based evaluation is that it further elaborates on the project's assumptions and linkages between outputs, outcomes, and impact. Besides, the approach highlights stakeholder needs as part of a situation analysis. The situation analysis also identifies barriers to reducing abusive practices and violations of human rights. The approach includes analyzing the projects' response (activities and outputs) to the problem followed by a results analysis.



The Theory of Change is logically linked to the logic of change presented in the IACHR's Strategic Plan 2017-2021 and the Strategic Plan's "strategic map."

The document review also shows that the IACHR benefits from a reconstructed Theory of Change as part of the recent evaluation of its U.S.-funded program.<sup>8</sup>

### 1.4 Rights-based and consultative evaluation approach

The evaluation was guided by a rights-based approach, addressing both duty bearers like government officials and, to the extent possible, rights holders and their representatives during the evaluation. United Nations Evaluation Group evaluation ethics informed to what extent rights holders could be directly engaged in the evaluation. In many cases, the document review showed that the whereabouts of presumed victims of human rights

<sup>8</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021."

violations are not given, that presumed victims and their nuclear families are threatened, harassed, or persecuted. In those live threatening circumstances, the "do no harm" approach applies, and the Lotus M&E Group refrained from systematically contacting presumed victims of human rights violations.

## 1.5 Evaluating capacity building

The evaluation of the U.S.-funded program supporting the IACHR (2018-2021) undertook an in-depth evaluation of capacity building focusing on the Interamerican SIMORE. Given the weight of capacity building in the Strategic Plan, the evaluation of capacity building activities focused on P9 "Expand Program for Training and Promotion of thoughts and culture on human rights."

In the recent evaluation of the U.S.-funded IACHR program, the evaluator used the Kirkpatrick approach to evaluate the effects of capacity development.<sup>9</sup> As such, the evaluation captured changes in knowledge, awareness, and practice and provided robust evidence. The same approach was used when evaluating P9.

Kirkpatrick's model was presented in 1975 (Kirkpatrick, 1975)<sup>10</sup> and remains the most widely used model for evaluating training (Kotvojs, 2009)<sup>11</sup> Which seems particularly relevant for the program due to its use of capacity building. The four levels assessed in the model are as follows:

1. Reaction - what the participants thought and felt about the training.
2. Learning - the resulting increase in knowledge or skills or changes in attitude.
3. Behavior - the extent of on-the-job behavior change by the participant due to the training and capability improvement and implementation/ application.
4. Results - the effects on the business or environment resulting from the participant's performance. This is the impact of the training on the participant's organization and their clients. (e.g., whether an organizational change was generalized to whether the output was used to address other problems or issues. )

The team leader used a KAP (knowledge, attitude, and practice) survey to implement the Kirkpatrick model practically<sup>12</sup>.

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<sup>9</sup> Kirkpatrick, Donald L. (1975). Techniques for Evaluating Programs. Parts 1, 2, 3, and 4. Evaluating Training Programs. ASTD.

<sup>10</sup> Kirkpatrick, Donald L. (1975). Techniques for Evaluating Programs. Parts 1, 2, 3, and 4. Evaluating Training Programs. ASTD.

<sup>11</sup> Kotvojs, F., 2009: Development of Framework for Evaluating Capacity Development Initiatives in International Development.

<https://www.aes.asn.au/images/stories/files/conferences/2009/Papers/Kotvojs,%20Fiona.pdf>

<sup>12</sup> A KAP survey usually is conducted to collect information on the knowledge (i.e., what is known), attitudes (i.e., what is thought), and practices (i.e., what is done) about general and/or specific topics of a particular population. (WHO, 2014)

Why conduct a KAP survey? A KAP survey can generate data that can be used for the following purposes (WHO, 2014):

- To identify knowledge gaps, cultural beliefs, and behavioral patterns that may identify needs, problems, and barriers to help plan and implement interventions.
- To deepen the understanding of commonly known information, attitudes, and factors that influence behavior.

While the health sector often uses KAP surveys<sup>13</sup> where it was first applied in the 1950s in the field of family planning and population studies<sup>14</sup>, the team leader had positive experiences across other sectors, proofing its broad applicability in development cooperation, including the governance sector and human rights.

Bhattacharyya (1997)<sup>15</sup> and Stone and Campbell (1984)<sup>16</sup> analyzed the attractiveness of KAP surveys which seems attributable to characteristics such as a straightforward design, quantifiable data, ease of interpretation and concise presentation of results, generalizability of small sample results to a broader population, cross-cultural comparability, speed of implementation, and the ease with which one can train enumerators<sup>17</sup>

The use of a KAP survey focused on assessing the project's capacity-building components in levels 2, 3, and 4 of the Kirkpatrick model. This evaluation plans to use the KAP survey online.

## 1.6 Sampling

The strategic plan contains 5 SOs, 20 programs, programs by cross-cutting elements of improvements, innovations, structural contributions, and more accessibility, and one special program, resulting in 21 programs in total.

Figure 5 presents an overview of the strategic plan using the plan's strategic map.

Given the comprehensiveness of the strategic plan, the evaluation proposes a sampling approach to focus the evaluation on specific areas of interest.

During the briefing call with IACHR management, purposeful sampling was agreed upon based on the "most significant" change approach, i.e., where the IACHR left the most profound footprint and most potential for learning transpires. The learning focus is particularly relevant, given the evaluation's purpose to inform the IACHR's next Strategic Plan design.

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<sup>13</sup> WHO, 2014: KNOWLEDGE, ATTITUDES, AND PRACTICES (KAP) SURVEYS DURING CHOLERA VACCINATION CAMPAIGNS: Guidance for Oral Cholera Vaccine Stockpile Campaigns. Working Group on Monitoring and Evaluation.

[https://www.who.int/cholera/vaccines/kap\\_protocol.pdf](https://www.who.int/cholera/vaccines/kap_protocol.pdf)

<sup>14</sup> [https://www.anthropologymatters.com/index.php/anth\\_matters/article/view/31/53](https://www.anthropologymatters.com/index.php/anth_matters/article/view/31/53)

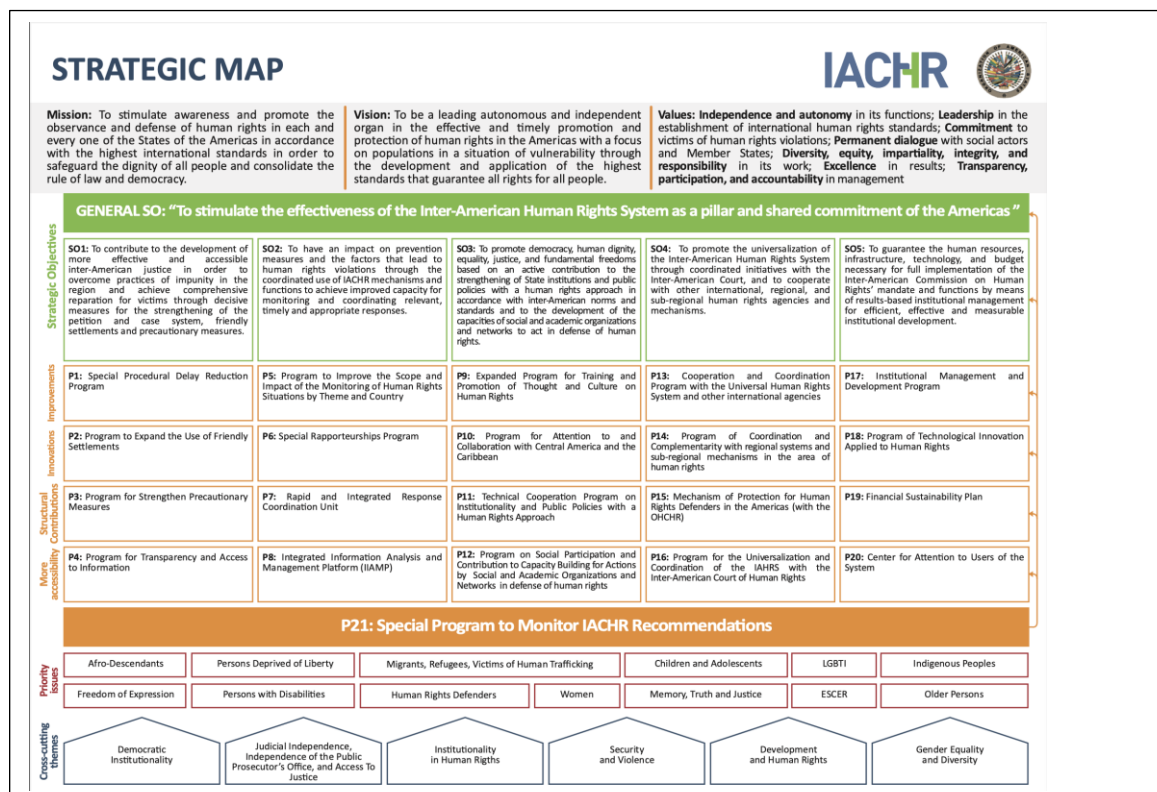
<sup>15</sup> Bhattacharyya, K. 1997. Key informants, pile sorts, or surveys? Comparing behavioral research methods for the study of acute respiratory infections in West Bengal. In: *The anthropology of infectious diseases: Theory and practice on medical anthropology and international health* (eds) M. C. Inhorn and P. J. Brown, 211-238. Amsterdam: Routledge Publishers.

<sup>16</sup> Stone, L. and J. G. Campbell. 1984. The use and misuse of surveys in international development: An experiment from Nepal. *Human Organization* 43(1), 27-34.

<sup>17</sup> [https://www.anthropologymatters.com/index.php/anth\\_matters/article/view/31/53](https://www.anthropologymatters.com/index.php/anth_matters/article/view/31/53)



Figure 5: IACHR Strategic Plan 2017-2021 – Strategic Map



The IACHR management suggested the following programs listed in Figure 6 for purposeful sampling, following consultations with IACHR Commissioners, focusing on the strategic objectives (SO) 1, 2<sup>18</sup>,3, and Program 21 being the core of the work under the Strategic Plan. The figure also contains the team leader’s comments.

Figure 6: Suggested programs of IACHR Strategic Plan 2017-2021 as the evaluation sample

Strategic objective (SO)	Program (P)	Comment
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<sup>18</sup> Under SO2, Program 5, the Executive Secretariat made the following comments on the selection of topics: **Migration:** the issue is one in which developments and impacts have been observed throughout the Americas: the human mobility standards, the due process report and the resolutions issued.

Persons/organizations to be consulted: United Nations High Commissioner for Refugees (UNHCR), organizations working on international protection and human mobility issues, and the Commissioner Rapporteur.

**Women and girls:** reports and other tools produced within the framework of the project financed by Canada.

Persons/organizations to be consulted: Women's organizations, women experts, donor, the expert Commissioners (Margarette Macaulay, Julissa Mantilla, Esmeralda Arosemena, and Flavia Piovesan) and the Executive Secretary.

**Lesbian, Gay, Bisexual, Trans, Intersex and Queer (LGBTIQ+):** Reports on violence and recognition of rights and advisory opinions on LGBTI.

Persons/organizations to be consulted: LGTBQ+ organizations, LGTBQ+ leaders (including former grantees); donors (ARCUS and Wellspring); Commissioner Rapporteur; experts on the issue; IACHR Rapporteurship staff, including the AES.

SO1	P1: Special Procedural Delay Reduction Program	Covered mainly in the recent evaluation of U.S.-funded program. Proposal to use available existing evaluative evidence and validate
	P2: Program to Expand the Use of Friendly Settlements	
	P3: Program for Strengthen Precautionary Measures	
SO2	P5: Program to Improve the Scope and Impact of the Monitoring of Human Rights Situations by Theme and Country	Focus on specific themes for an in-depth review of three topics the IACHR specifically addressed during 2017-2021. The following topics were selected in consultation with the Executive Secretariat: migration, women and girls, and LGBTQ+ (see also footnote 18)
	P6: Special Rapporteurships Program	Use of telephone interviews to assess stakeholder experiences
	P7: Rapid and Integrated Response Coordination Unit	Use of telephone interviews to assess stakeholder experiences
SO3	P9: Expanded Program for Training and Promotion of Thought and Culture on Human Rights	Use of the Kirkpatrick approach to evaluate capacity development of individuals and institutions, using an online survey
N/A	P21: Special Program to Monitor IACHR Recommendations	Use of telephone interviews to assess stakeholder experiences

For the in-depth review of topics which the IACHR specifically addressed during 2017-2021, the Institute of Democracy and Human Rights (Idehpucp) of the Pontifical Catholic University of Peru (PUPC) took the lead. The in-depth review focused on the reach and impact of legal and policy discourse and the broader use in the relevant literature and among stakeholders. Out of the three topics proposed by IACHR, the evaluation team selected two due to the extent of their reach: migration and women and girls. However, the evaluation used data on the reach of LGBTI thematic reports as a comparator in the relevant section of this report.

For a wider stakeholder group **beyond the sampled programs**, the evaluation used an online survey to allow for the largest possible reach of IACHR stakeholders across the entire Western Hemisphere. This approach included all stakeholders on the IACHR contact lists, except those already contacted during the recent evaluation of the U.S.-funded IACHR program. The evaluation team suggested the latter measure to avoid evaluation fatigue among those stakeholders that already had spent time engaging in that recent evaluation process with the IACHR.

## 1.7 Evaluation tools and processes

The following evaluation tools and processes summarized in Figure 7 were used for this evaluation:

Figure 7: IACHR Strategic Plan 2017-2021 evaluation - evaluation tools and processes



Source: Engelhardt, A. 09/2021

In detail, the evaluation tools and processes comprise:

1. **Document review** of IACHR documentation such as the Strategic Plan, program documents, progress, and final project reports;
2. **Scoping calls** with the IACHR management team;
3. **Theory of Change validation;**
4. **Telephone interviews** with stakeholders of Strategic Plan programs and components sampled for in-depth evaluation;
5. **Online evaluation survey to stakeholders** of Strategic Plan programs and components not sampled and subsequently not covered by telephone interviews to assess user satisfaction of IACHR services across all OAS Member States and Cuba;
6. Virtual presentation of the midterm report to IACHR, following data analysis;
7. Finalization of evaluation report and presentation to IACHR.

In total, the evaluation team managed to consult 313 stakeholders (63,6% women, 33,5% men and 2,9% without specification). Eight Member States participated in the evaluation (12 interviewees), nine donors (15 interviewees), 29 IACHR personnel, six Commissioners and 251 non-State stakeholders.

## **1.8 Limitations and mitigation measures**

The evaluation did not encounter significant limitations, given the excellent availability of documentation, including up-to-date monitoring data of very high quality and seamless cooperation with the IACHR team.

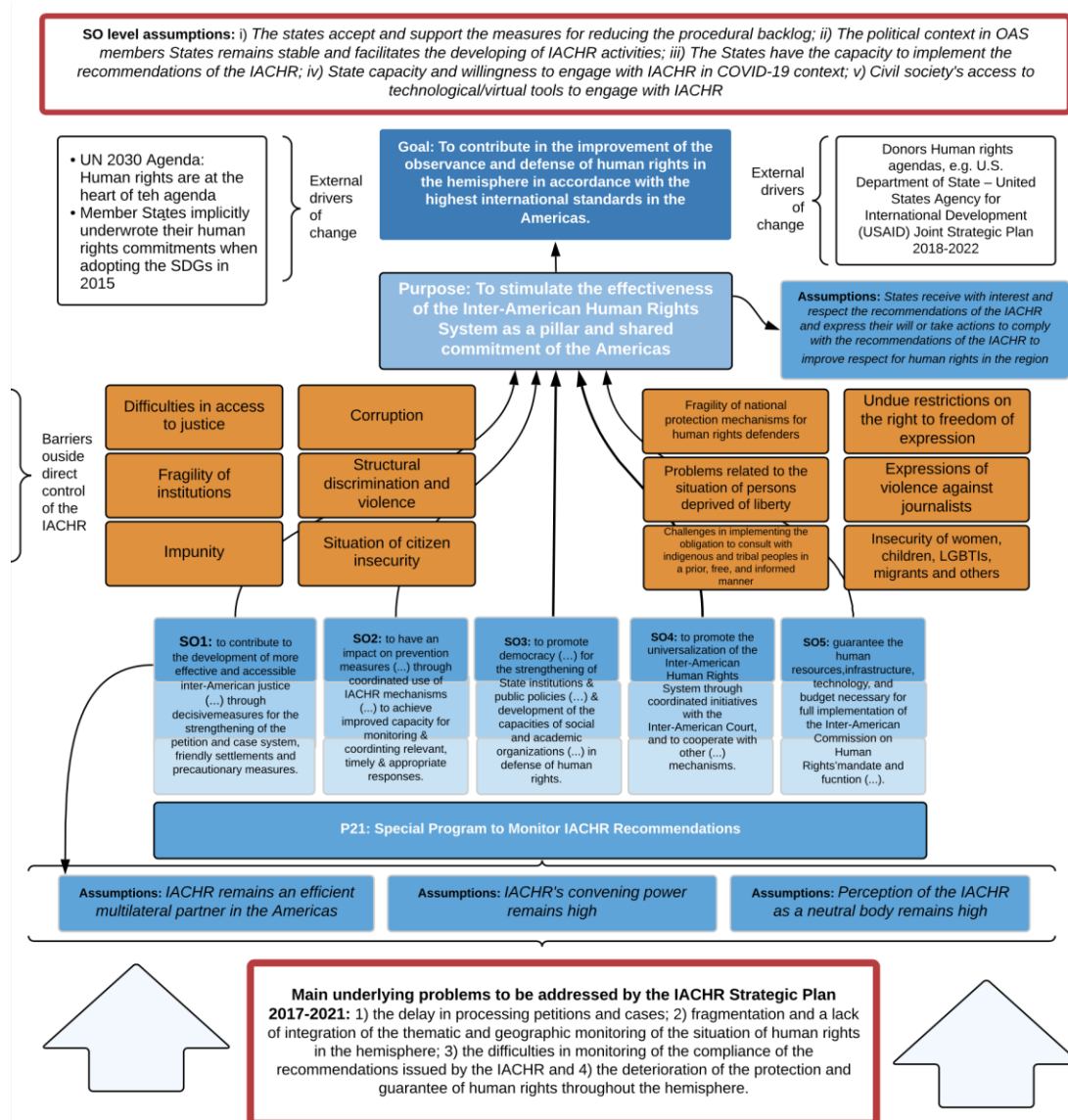
The evaluation team managed the choice not to undertake field visits due to the unpredictability of changing travel restrictions through the extensive use of zoon interviews.

## **1.9 Reconstructed Theory of Change: IACHR Strategic Plan 2017-2021**

Figure 8 presents the reconstructed theory of change of the IACHR Strategic Plan 2017-2021 based on the Strategic Plan document, including its Strategic Map (see

Figure 5).

### **Figure 8: Reconstruction of the Theory of Change for IACHR Strategic Plan 2017-2021**



Design: A. Engelhardt 11/2021

The reconstructed Theory of Change of the project contains the following elements:

- Formulation of the main problems
- Outputs (short-term results) and related assumptions
- Barriers to moving from outputs to outcomes (medium-term results)
- Outcomes
- Impact statement (long-term results)
- Linkages to external drivers of change catalyzing the achievement of the impact
- Main assumptions

The recent external evaluation of the U.S.-funded program to the IACHR (2018-2021), covering three out of the five Strategic Objectives, found that the reconstructed Theory of Change was valid. A very high validity showed concerning the main barriers to stimulating the Inter-American Human Rights system's effectiveness, the main problems identified, the intervention logic concerning the results chain, and external barriers of change.

However, as for the evaluation of the U.S.-funded program to the IACHR, this evaluation finds that the Strategic Plan's assumptions hold only partly due to changes in the Commission's

operating environment which were beyond the control of the Commission and difficult to foresee. The latter assumptions include the outcome level assumption (purpose): *"The States receive with interest and respect the recommendations of the IACHR and express their will or take actions to comply with the recommendations of the IACHR to improve respect for human rights in the region."*

To stimulate the effectiveness of the Inter-American Human Rights system, States need to show interest and respect for IACHR recommendations and show a willingness to comply. However, the external evaluation of the U.S.-funded program found that "while governments still receive IACHR recommendations with interest in some countries, stakeholders detected a deterioration of respect. Action taking or compliance is less given, resulting in even lower ratings"<sup>19</sup>. The same is true for the Strategic Plan 2017-2021.

The box below provides the rationale for the challenges in the validity of the outcome level assumption, based again on the evaluation of the U.S.-funded program to the IACHR.

"The evaluation finds that the overall validity for this purpose level assumption reaches 33.1% only. (...) For most technical projects of the OAS (and other international organizations), to show such a low validity of its prime assumption would mean that it was set up to fail. For the IACHR, it reflects the harsh reality of its increasingly adverse operating environment due to a deterioration of the human rights situation across many countries of the Americas".

Source: Engelhardt/OAS, 2021, page 13

The deterioration of the America's human rights situation in 2019 refers to "social grievances that were exacerbated by persistent inequalities and weak institutional trust due to corruption, discriminatory policies and, in some places, by violence generated by organized crime and drug-trafficking. In the last four months of 2019, several countries in the region experienced an increase in social protests and observed patterns of excessive use of force against protesters.<sup>20</sup> In 2020, OHCHR noted that "the COVID-19 pandemic highlighted underlying structural human rights challenges, including profound inequalities and fragile democratic systems. (...) The Americas faced the greatest negative economic impacts of COVID-19, which underscored pervasive levels of inequality in accessing economic, social, and cultural rights (ESCRs) in the region and the overall weakness of public health systems. Social protests that erupted across the region, including in relation to claims for access to basic services and demands for better management of resources, were at times met with discriminatory and excessive use of force by the police"<sup>21</sup>.

The challenges of many Member States *to receive with respect the recommendations of the IACHR* are related to one output level assumptions of the U.S.-funded program to the IACHR (2018-2021). The assumption that *"The states accept and support the measures for reducing the procedural backlog"*, reaching only 39.9% of stakeholders' approval ratings. The evaluation of the U.S.-funded IACHR program found that "interviews revealed that for many states, and their number increasing, an IACHR plagued with procedural backlog means a Commission that is restricted in its operations, less effective, and less engaged in the region.

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<sup>19</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 13

<sup>20</sup> OHCHR, 2020: United Nations Human Rights Report 2019, page 262.

<sup>21</sup> United Nations' Office of the High Commissioner for Human Rights (OHCHR), 2020: United Nations Human Rights Report 2020, page 294.

Such a low validity of this internal assumption seems to indicate a perceived lack of States' political buy-in to the work of the Commission"<sup>22</sup>. In fact, the evaluation of the U.S.-funded program to the IACHR reach one key finding stating that the "Commission's increasing ability to focus on real-time human rights challenges in the Americas [causes] discomfort among many administrations"<sup>23</sup>. Hence, this perceived lack of States' political buy-in to the work of the Commission and the increasing uneasiness of governments about the IACHR's growing real-time watchdog function is also reflected in its respect for the Commission's work, including its recommendations.

Besides, the evaluation of the U.S.-funded program to the IACHR "registering critical voices about the Commission's role also from [five countries] in 2019, apart from the countries not recognizing the IACHR" questioning the mandate of the Commission<sup>24</sup>. This attitude also undermines the respect for the Commission and its work, as verified during the present evaluation.

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<sup>22</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 13

<sup>23</sup> Ibid., page 29

<sup>24</sup> Ibid., page 48

## Section II: Findings

### 2. Relevance: is the Strategic Plan suitable for the IACHR doing the right thing in the Americas?

This section addresses the evaluation criteria of relevance. The sub-criteria used include the following: i) alignment of work to the Strategic Plan, ii) stakeholder perceptions of alignment), iii) modernization of the IACHR; iv) results focus; v) transparency; vi) accountability; gender and diversity in IACHR; and Gender-based analysis and human rights-based analysis informing the Strategic Plan design.

The principal evidence source for this section was the survey, telephone interviews, and the document review.

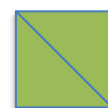
#### Key findings: The Strategic Plan 2017-2021 served as a beacon guiding the Commission

- The Strategic Plan 2017-2021 provided the dorsal spine for the IACHR with its five strategic objectives and 21 programs.
- A stronger focus on prioritized topics showed in the Strategic Plan 2017-2021 compared to the previous one, with an alignment reaching 65% according to Non-State stakeholders and 63% according to Member States.
- COVID-19 strongly influenced the implementation of the Strategic Plan, with the unforeseen activities emerging.
- The Strategic Plan 2017-2021 clearly contributed to the modernization of the IACHR
- Perceptions about the Plan's contribution to the modernization of the IACHR reached 77% for the IACHR's results focus, 74% for its transparency, and 77% for its accountability.
- The Commissions focus on gender and diversity in its internal structures started to change, with still significant room for improvement for better representation of afrodescendants, people from the Caribbean and French speakers.
- The design of the Strategic Plan 2017-2021 was based on a human rights analysis, while limitations show for the use of a gender-based analysis



The evaluation finds that the relevance of the IACHR's Strategic Plan 2017-2021 is very high. Based on the evaluations' scoring methodology<sup>25</sup>, the relevance score is "green" (88 out of 100<sup>26</sup>).

#### 2.1 Alignment of work to the Strategic Plan



The recent evaluation of the U-S.-funded program of the IACHR (2021) found that the Strategic Plan 2017-2021 firmly guided the IACHR's strategic orientation and work. It provided "a clear vision with a strong drive to comply with the objectives of its strategic plan."<sup>27</sup>

<sup>25</sup> applied by the United Kingdom's (UK) Independent Commission for Aid Impact, see for example <http://icai.independent.gov.uk/wp-content/uploads/ICAI-Review-UK-aids-contribution-to-tackling-tax-avoidance-and-evasion.pdf>

<sup>26</sup> Scores by sub-criteria: green: 3, green/amber: 2, amber/red: 1; red: 0 ; 2.1 = 3; 2.1.1 = 2; 2.2 = 3; 2.2.1 = 3; 2.2.2 = 3; 2.2.3 = 3; 2.3.4 = 2; 2.3.5 = 2  
Overall performance = SUM (21/24\*100) (87,5%).

<sup>27</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021.", page 51



The present evaluation enquired further about the alignment of the Commission’s work to its Strategic Plan 2017-2021.

The evaluation finds that the Strategic Plan 2017-2021 provided the dorsal spine for the IACHR with its five strategic objectives and 21 programs. At the same time, it allowed for the required flexibility to react to emerging topics such as COVID-19.

Following a highly appreciated and comprehensive consultative consultation process, the Strategic Plan took a comprehensive approach based on the human rights situation and stakeholder needs during the design phase in 2017.

Overall, the Annual Operation plan combined with the annual stock-taking strongly enabled the operationalization of the Strategic Plan.

### 2.1.1 Stakeholders perceptions

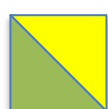
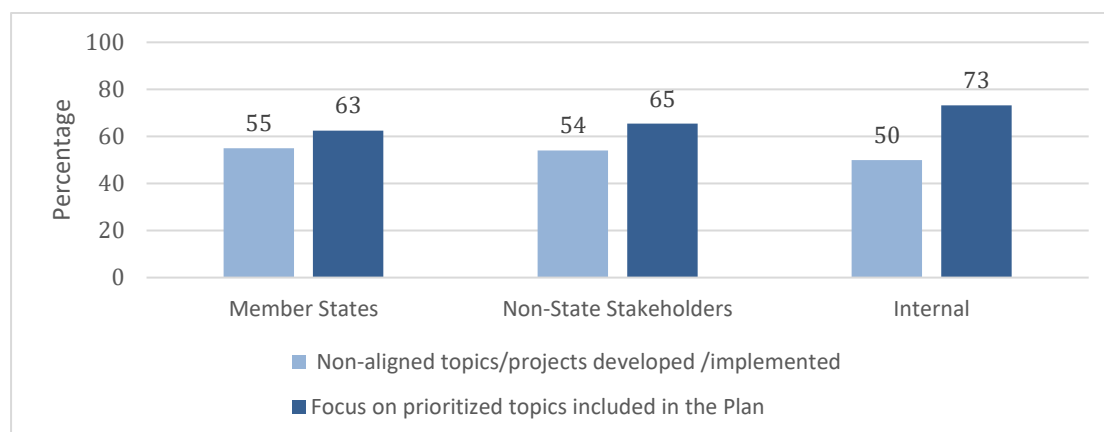


Figure 9 shows that both Member States (63%) and non-state stakeholders (65%) found a dominating focus on topics prioritized in the Commission’s Strategic Plan. Stakeholders’ perceptions pointed to lower rates of work on non-aligned topics in the case of Member States (55%) and non-state stakeholders (54%). Those perceptions mirror, to some extent, the ones of IACHR staff and Commissioners, thought the gaps between focus on topics prioritized and non-aligned topics is more pronounced in internal perceptions (73% vs. 50%).

**Figure 9: Alignment of IACHR work to its Strategic Plan 2017-2021**



Source: evaluation survey and interviews, n=130

Evaluation interviews with stakeholders showed a stronger focus on prioritized topics in the Strategic Plan 2017-2021 than the previous one. Depending on available funding, specific topics got more emphasis than others. Examples are women, migration, or Lesbian, gay, bisexual, and transgender persons (LGTBI) with high donor interest and funding vs. less funded topics such as older persons or persons with disabilities, which attracted less donor interest.

The transversal nature of the Strategic Plan’s thematic focus enabled more internal cooperation on specific topics and countries, including the mechanism of the Rapid and Integrated Response Coordination Unit (SACROI, by its Spanish acronym).

In the case of migration, several stakeholders missed a comprehensive approach of the Commission to respond to the known patterns of forced migration and to protect migrants and refugees accordingly. In the migration context, the external evaluation of the U.S.-funded program found, however, good practices of strategic cooperation of the Commission and multilateral partners such as the Office for the High Commissioner for Human Rights (OHCHR), the International Organization for Migration (IOM), and the United Nations High Commission for Refugees (UNHCR)<sup>28</sup>. Then later, cooperation enhanced the Commission's visibility, for example, due to partner presences of a country or provincial office.

Overall, stakeholders agreed that COVID-19 strongly influenced the implementation of the Strategic Plan, with the unforeseen activities emerging and the Commission's quick reaction to those unpredicted, and strictly speaking, unaligned needs. A "before and after" situation emerges, with a solid alignment to the priorities set in the Strategic Plan till March 2019, the onset of the pandemic, and a following, certain flexibilization to respond to Member States' needs.

The following quotations provide insights into stakeholders' experiences.

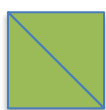
"The IACHR has developed its planning as closely as possible to what was planned, its variations were slight because it had to be flexible due to the emerging situation (of the pandemic)."

"The IACHR carried out actions according to the needs that the states were raising in the pandemic".

"The IACHR was thinner than before, it tried to be everywhere at the same time, and to do everything".

**Sources: IACHR stakeholders**

## 2.2 Modernization of the IACHR



The Strategic Plan 2017-2021 clearly contributed to the modernization of the IACHR. The external evaluation of the U.S.-funded IACHR program found that the "IACHR's strategic plan [served] as a basis for institutional strengthening and strong leadership till 2020 to drive institutional change"<sup>29</sup>.

This sub-section analyses the degree of modernization concerning changes in the Commission's results focus, transparency, accountability, and gender and diversity.

Figure 10 shows overall high perceptions of the three criteria listed above during the implementation of its Strategic Plan 2017 – 2021, with a median reaching 77% for the IACHR's results focus, 74% for its transparency, and 77% for its accountability. The data includes views from donors, Member States, non-State stakeholders, and IACHRC staff and management.

For accountability of the IACHR, donors present the highest perceptions, 84%, with Member States being most critical 67%. Donors stressed their satisfaction with the high quality and

<sup>28</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 44

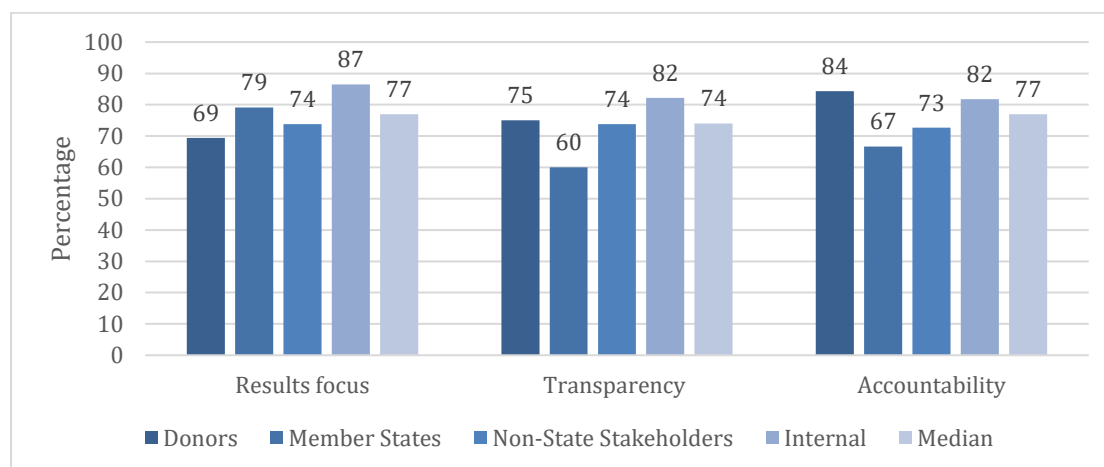
<sup>29</sup> Ibid. Page 41.

timely IACHR reporting while Member States missed a more substantial and more systematic outreach and dialogue of the Commission. This perception of Member States is mainly based on two reasons: i) the perception that the IACHR reacts to Civil Society and its demands more easily and prominently, probably due the elevated media attention of many civil society organizations, and ii) the perception that Member States in the Caribbean are still underserved compared to the Member States in Latin America, accompanied with less in-loco visits due to the corona virus pandemic.

Internal stakeholders showed the highest perceptions for transparency (82%) due to the standards-setting and systematization of internal procedures. Member States' perception is lowest, reaching 60%. The latter is determined by the perceived politicizing of the Commission by some Member States and the OAS's interference in the renewal of the previous IACHR Executive Secretary's mandate, which affected transparency. Besides, the increasing real-time watchdog role of the Commission, which is less caught up in historic cases due to the significant reduction of the back log of cases, also increasingly addresses the human rights balance of governments in post. Those governments react quite irritated at times, also presuming a politicizing of the IACHR.

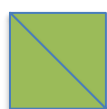
Concerning the Commission's results focus, internal stakeholders experiencing a solid drive to deliver and report results have the highest perception, 87%, while donors show the lowest perception (69%), partly due to the desire to have more impact level data.

**Figure 10: Perception of results focus, accountability, and transparency of the IACHR 2017-2021**



Source: evaluation survey and interviews, n=131

### 2.2.1 Results focus



The Strategic Plan 2017-2021 propelled the results-based management culture in the IACHR, causing a change of mindset in an institution with a robust legal base that was previously more activity-focused. Some internal stakeholders described the plan as “revolutionary” for the commission.

Most donors commented on the increasing results focus of the Commission, sharing their positive experiences. For some, it is an expression of the Commission's growing maturity. Two donors commented on the importance of the IACHR's impact beyond numbers at the output or outcome level. This gap is mirrored in internal interviews.

“The Commission now aims to quantify all results. However, from our point of view, the impact on public policies would be much more important”.

Source: IACHR donor

The IACHR documented the impacts of friendly settlement procedures (2018)<sup>30</sup>, impacts of cases of discrimination and violence against women, girls, and adolescents (2019)<sup>31</sup> and the follow-up of precautionary measures granted (2021)<sup>32</sup>. In 2021, the Commission started addressing the shortcoming of documenting impact even more systematically by launching its Observatory of Impact in 2021. The box below presents the initial approach of the Observatory taken with a call for papers on impact analysis in November 2021.

Call to present academic papers on the analysis of the impact of the activities and resolutions of the IACHR

“Researchers, students, members of civil society, and interested persons are invited to present academic papers on the process of analysis and discussion of the impact of the various activities and resolutions of the IACHR, within the framework of the Impact Observatory to contribute to their objective of contributing to the collaborative analysis for the reflection, systematization, visibility and methodological evaluation of the impact of the institution in the defense and protection of human rights in the hemisphere”.

Source: <http://www.oas.org/en/iachr/jsForm/?File=/en/iachr/observatory/default.asp>

Another example of the changing ways of working is the Special Monitoring Mechanism for Nicaragua (MESENI). It initially monitored the counting of statements or documents produced, which significantly matured over time. Now monitoring includes the effects of MESENI on international organs.

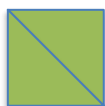
Data management was not institutionalized in the case of precautionary measures before implementing the Strategic Plan 2017-2021. The newly established team started at the time without any baseline data. With the Strategic Plan 2017-2021, a new era commenced for the Commission’s work on precautionary measures. Testimonies are the development of new instruments, standards, and procedures as well as simplified methodologies for reducing the time of treating cases, including e-voting to decide about the submission of cases. At the same time, this increase in results-focus was accompanied by increasing the number of staff working on precautionary measures from one person to up to four professionals.

## 2.2.2 Transparency

<sup>30</sup> IACHR, 2018: Impact of the Friendly Settlement Procedure (Second Edition), OEA/Ser.L/V/II.167 Doc. 31, 1 March

<sup>31</sup> IACHR, 2019: Impacts of cases of discrimination and violence against women, girls and adolescents. OEA/Ser.L/V/II. 14 November 2019

<sup>32</sup> IACHR, 2021: PROJECT: Combating discrimination and violence against women and girls in Latin America and the Caribbean. REPORT ON THE FOLLOW UP OF PRECAUTIONARY MEASURES GRANTED TO PROTECT WOMEN AND GIRLS.



The document review showed that the consultation process for the Strategic Plan 2017-2021 was highly participatory, reaching out to diverse audiences in academia, civil society, and state structures through different means such as surveys and meetings. This process shows a high level of transparency.

Concerning the admissibility and management of cases, staff underlines a fully rule-based process. However, users of the Inter-American system often fail to understand the reasons for declined admissibility, causing deep dissatisfaction and significant frustration for individual human rights defenders and victims. The 26% of Non-State stakeholders with critical attitudes concerning the transparency of the Commission repeatedly mentioned the lack of understanding why admissibility of cases was declined.

The transparency of internal processes could be further strengthened, for example, concerning human resources decisions, as pointed out by one Commissioner. Another example concerns the decisions taken for country visits, an assessment, and a decision-making process that could be better documented.

### 2.2.3 Accountability



From the donor side, the satisfaction about IACHR implementation and reporting quality and timeliness is very high, underscoring how seriously the Commission takes accountability. Member States also appreciate the annual reporting to evidence accountability.

“Our project with the IACHR was implemented at the highest standards. Accountability was very high. We did not make the same experience in other programs of the OAS”.

Source: IACHR donor

Internally, one Commissioner applauded the clear reporting structures that generally facilitate accountability. Another Commissioner noted staff vulnerability and some supervisors' related lack of accountability, particularly at the beginning of the strategic planning period 2017-2021.

### 2.3.4 Gender and diversity in IACHR



Evaluation interviews with IACHR staff and management showed that the Commission's focus on gender and diversity in its internal structures started to change, with still significant room for improvement. In the strategic planning period 2017-2021, a professional with indigenous roots joined the Commission as Rapporteur for Indigenous Peoples. A similar change occurred in the Rapporteurship for afrodescendent people where an afrodescendent professional took over that position. The diversity in the Commission is also growing concerning more Portuguese speakers and staff from the Caribbean, while the latter seems still underrepresented with four staff only (and 14 Caribbean Member States), as French speakers are. Overall, afrodescendent among staff seem also still underrepresented.

### 2.3.5 Gender-based analysis and human rights-based analysis informing Strategic Plan design



The evaluation finds that the Strategic Plan 2017-2021 was based on a human rights analysis that benefitted from the inputs of its main stakeholders during the consultative design process. The main human rights priority areas and cross-cutting themes of the Strategic Plan 2017-2021 coincided with the human rights dimension of the Office of the High Commissioner for Human Rights (OHCHR, 2018)<sup>33</sup>

Internal voices see some limitations of using a gender-based analysis for the design of the Strategic Plan 2017-2021, partly due to a vague understanding of the concept in the Commission. The differences, for example, between a woman's right approach and a gender approach still seem blurry.

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<sup>33</sup> OHCHR, 2018: Management Plan. Geneva

### 3. Efficiency: were resources used appropriately to achieve IACHR results?

This section analyses the efficiency of the IACHR program based on the following set of sub-criteria suggested in the ToR: i) procurement, distribution, and allocation of funds; ii) Responsiveness of the IACHR structure to priorities established; iii) institutional development; iv) effects of COVID-19 on Strategic Plan implementation; v) accessibility to the Commission during COVID-19; vi) responsiveness of the Commission to the needs of Member States and social actors during COVID-19; and, vii) utility of virtual events.

The evaluation used the document review as the primary source of evidence for this section.

**Key findings: The IACHR used resources appropriately, despite heavy OAS rules and procedures, and enhanced efficiencies particularly as a response to mitigate the COVID-19 effects on its work.**

- The implementation of the Strategic Plan 2017-2021 coincided with a restructuring of the IACHR Secretariat, and this restructuring responded positively to the priorities established.
- Different staff perceptions about silo culture with at times insufficient communication between teams, and a need emerges for clear responsibilities for all strategic objectives and programs.
- The evaluation finds room for improvement concerning the institutional development of the Commission, for example, how gender and diversity are treated in the Commission's internal structures.
- A need emerges for finding a better balance between staff and consultancy positions, which affects staff moral and ultimately institutional development.
- Heavy weights of the OAS's rules and procedures affect the IACHR's agility, for example the timely procurement of goods and services, the allocation and expenditure of funds.
- While the COVID-19 pandemic severely affected the implementation of the Strategic Plan and immediately caused many unplanned demands on the IACHR, it fast-tracked the digitalization of the Commission.



The evaluation finds that the efficiency of the IACHR program was high, with an "amber-green" score (63 out of 100)<sup>34</sup>.

#### 3.1 Responsiveness of the IACHR Executive Secretariat structure to priorities established in the Strategic Plan 2017-2021



The implementation of the Strategic Plan 2017-2021 coincided with a restructuring of the IACHR Secretariat. This evaluation finds that this restructuring responded positively to the priorities established. The establishment of assistance executive

<sup>34</sup> Ratings by sub/criteria are as follows on the 0 to 3 scale: 3.1 = 2; 3.2 = 2; 3.2.1 = 1; 3.3.1 = 2; 3.3.2 = 2; 3.3.3 = 2; 3.3.4 = 2; 3.3.5 = 2; 3.3.6 = 2. Total: 17 out of 27 (62,96%).

secretaries seemed to have positively influenced the Commission's work and its efficiency, as presented in the statements of some IACHR Commissioners below.

“Creating two assistance executive secretaries was a landmark. Work was well balanced between monitoring component and thematic responsibilities across all sections”.

“[The introduction of two assistance executive secretaries] reduced bureaucracy and worked well at the time. Now some new restructuring would be required to address early warning needs in the Commission”.

Source: IACHR Commissioners

Coordination issues emerge between the two assistance executive secretaries and their respective areas of work.

While some stakeholders engaged in the Commission before 2017 noted an improvement from an institution segregated by topics and bottlenecks at the senior management level to release reports, the Strategic Plan 2017-2021 widened the thematic focus and more agile management. At the same time, the evaluation noted different staff perceptions about a silo culture again with insufficient communication between some teams.

The evaluation interviews revealed a need for clear responsibilities for all strategic objectives and programs. Gaps emerge, for example, concerning the strategic objective 4.

### 3.2 Institutional Development



Mainly donors still see room for improvement concerning the institutional development of the Commission. Entry points are how gender and diversity are treated in the Commission's internal structures.

The external evaluation of the U.S.-funded IACHR program pointed to the need to find a better balance between staff and consultancy positions, which affects staff morale and, ultimately, institutional development. “The strong increase in the U.S. multi-year funding of the IACHR program and the increase in the Regular Fund budget could have counter-balanced the personnel issues, yet consultants' numbers increased nearly fourfold compared to staff numbers<sup>35</sup>.”

The latter refers to donors who need to provide funding beyond short-term projects to enable longer-term contracts while at the same time revealing administrative challenges in human resource contracting under the OAS rules and procedures.

Besides, the external evaluation of the U.S.-funded IACHR program “revealed internal resistance to change in the Commission and a high level of stress on staff due to a continuously increasing workload despite staff increases. The COVID-19 pandemic further increased the pressure on staff and affected work conditions for some staff negatively”<sup>36</sup>. This evaluation confirmed the latter challenges through staff and management interviews.

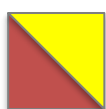
<sup>35</sup> The number of staff increased from 49 to 54 between 2017 and 2020 (+10,2%). In the same period, the number of consultants augmented from 60 to 83 (+38,3%). The number of personnel with other contracts decreased from 14 to ten, page 48

<sup>36</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 47



A good practice strengthening institutional development and the Commission’s outreach to its target groups, the academic community, is fellowships. In the cases of the Rapporteurs for LGTBI and Economic, social, cultural, and environmental rights (ESCER), the engagement of a fellow seems highly satisfactory.

### 3.2.1 Procurement, distribution, and allocation of funds



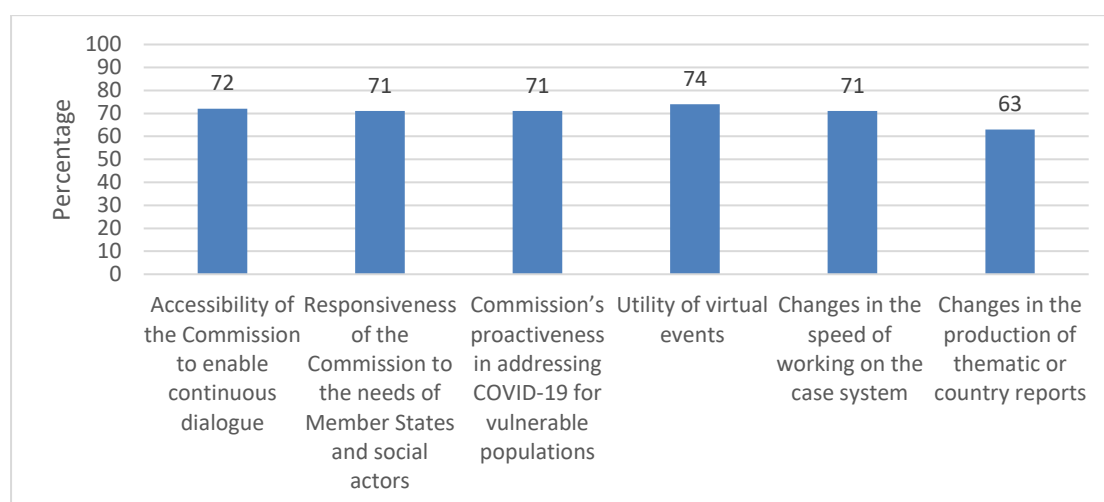
Internal stakeholders’ views mirrored the perception of some donors and Member States concerning the heavy weight of the OAS’s rules and procedures on the IACHR’s agility. Governed by those rules and procedures, the IACHR experienced high levels of bureaucracy. The latter affected, for example, the timely procurement of goods and services, the allocation and expenditure of funds. At the same time, many donors noted that despite those considerable barriers, the efficiency of project delivery did not suffer

### 3.3 Effects of COVID-19 on Strategic Plan implementation and mitigation measures

While the COVID-19 pandemic severely affected the implementation of the Strategic Plan and immediately caused an array of unplanned demands on the IACHR across the Western Hemisphere, it fast-tracked the digitalization of the Commission.

Mitigation measures were successful, as presented in Figure 11. Member States stressed that the Commission provided digital spaces for dialogue. It emitted timely communication and produced useful recommendations concerning human rights in the COVID-19 context, for example, concerning indigenous populations. Non-state actors and academics endorsed positive findings of the good digital access to working meetings, thematic hearings, and other forms of dialogue.

Figure 11: Mitigation of effects of COVID-19 on the Strategic Plan implementation



Sources: evaluation interviews and surveys, n=156

Figure 11 shows the median of responses from Member States, non-state actors, donors, and IACHR staff and management concerning the Commissions’ COVID-19 mitigation measures. Overall, the results are positive. The accessibility of the Commission to enable

continuous dialogue reaches 72% during the pandemic, with stakeholders noting an increase in the Commission’s reach. Stakeholders assessed the responsiveness of the Commission to the needs of Member States and social actors also high (71%), based on a swift transformation of communication tools and processes to a virtual mode. 71% of stakeholders found Commission’s proactiveness as high in addressing COVID-19 for vulnerable populations, for example, in formulating recommendations for addressing indigenous populations. Another example is the Situation room (SACROI) on COVID-19, addressing the impact of the pandemic on the users of the InterAmerican system. 74% found the utility of the IACHR’s virtual events as high.

At the same time, 71% of stakeholders noted positive changes in the speed in working on the case system and 63% to produce thematic or country reports. In the latter case, 37% noted that COVID-19 affected the production of thematic or country reports negatively, as priorities of staff had to shift to competing and unpredicted tasks that emerged during the pandemic.

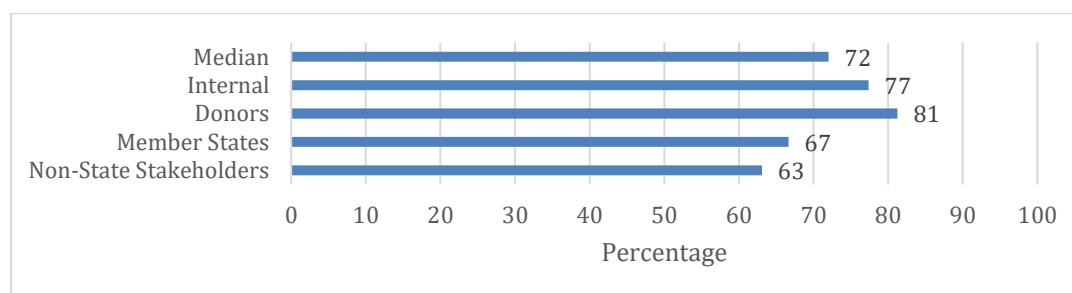
The following sub-sections provide more details and disaggregate those results by stakeholder group.

### 3.3.1 Accessibility of the Commission to enable continuous dialogue



The evaluation finds that the Commission reacted swiftly to the limitations in the accessibility of duty bearers and rights holders to its formal processes. After about 20 days of transforming operations virtually, the Commission served its clients again right after the onset of the pandemic. Donors perceived the highest levels of accessibility (81%), followed by internal staff and management (77%, see Figure 12). The boxes below provide insights from those stakeholders.

**Figure 12: Accessibility of the Commission to enable continuous dialogue**



Sources: evaluation interviews and surveys, n=156

“We noted strong effects of the pandemic on the IACHR between March and June 2020, as on the entire public live. But the Commission is very good making use of virtuality”.

“The Commission with its virtual engagement is successful in reaching more people in our project. They engage more people and more often.”

“In the virtual engagement intermediaries are key. Particularly in hard to reach geographic areas, NGOs serve as intermediaries for human rights defenders to access the Commission, for example, through virtual meetings.”

Sources: Donor representatives

“The effects of COVID-19 were paradox. Despite all the turmoil we increased our reach. I witnessed a democratization in the access to the Commission”.

“We had so many more meetings with civil society organizations in rural and peripheric locations we could not reach before. They did not have the means to travel to meet us in Washington D.C. or had to wait for visit from the Commission. And when we visited, we had to prioritize sites and could not met all geographically peripheric stakeholders”.

“Previously unserved populations participated in our meetings. Even participation by mobile phone worked. However, the virtuality does not replace in loco visits”.

**Sources: IACHR Commissioners**

Member States perceived a lower level of accessibility (67%), followed by non-state stakeholders (63%). One explanation is that the Commission’s focus on countries varied depending on the human rights situations and the prioritization in addressing those. Also, in the pandemic, the Caribbean received less attention from the Commission than Latin America taking into account its population size and the uneven distribution and magnitude of human rights violations across the Western Hemisphere.

The reach of more, and previously less or non-served non-state actors is not reflected in the results of the quantitative data analysis, while non-state actors with established ties with the Commission perceived a lack of accessibility due to the reduced, and at one point stalled, in loco visits of the Commission. The latter was particularly challenging for the engagement with persons deprived of liberty or other state institutions such as children’s homes or refugee camps.

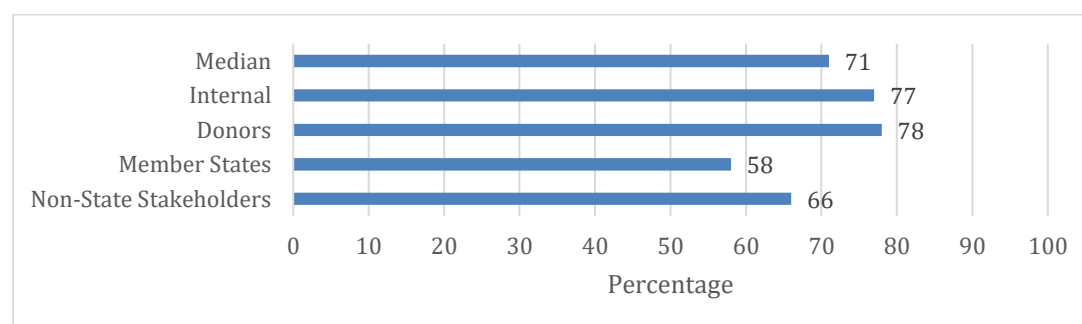
Internal stakeholders noted an increase in the work volume and the speed of delivery as a result of COVID-19 and the often virtual mitigation measures. Instead of four physical sessions per year, the Commission embarked on monthly virtual sessions, amplifying social fora. At the same time, the postal communication was interrupted for several weeks at the beginning of the pandemic when the Secretariat in Washington DC was physically closed. The interruption affected the communication by mail, for example, for persons deprived of liberty.

### 3.3.2 Responsiveness of the Commission to the needs of Member States and social actors



Figure 13 presents a diverse picture of stakeholders’ perceptions about the responsiveness of the Commission during the COVID-19 pandemic. Donors (78%) and internal stakeholders (77%) experienced very high responsiveness of the Commission. Less non-state stakeholders (66%) and particularly Member States (58%) experienced swift responsiveness of the Commission to their needs during the COVID-19 pandemic, as exemplified in the box below.

**Figure 13: Responsiveness of the Commission to the needs of Member States and social actors**



Sources: evaluation interviews and surveys, n=156

Internal stakeholders underscored the virtual engagement with Member States through Zoom sessions, which never had happened before. Despite this facility, most Caribbean countries are still removed from a close working relationship with the IACHR.

“The pandemic slowed down the Commission. The Commission tried to do too much at the same time, beyond its means”.

Source: IACHR stakeholder

Commissioners noted that IACHR teams worked nearly non-stop during the pandemic, even on weekends. This unsustainable practice has stopped now, partly due to staff exhaustion. Those experiences were mirrored in some internal interviews and the external evaluation of the U.S.-funded program of the IACHR.

“The COVID -19 crisis has put the Commission closer to the actors in Member States, in real time”.

Source: IACHR stakeholder

One donor pointed out that the Commission was more responsive to civil society than governments because it can only morally condemn a government for not accepting a measure. The donor used the example of Nicaragua, which made a transition to an authoritarian regime, and the fact that the IACHR could not sanction this but only denouncing it publicly.

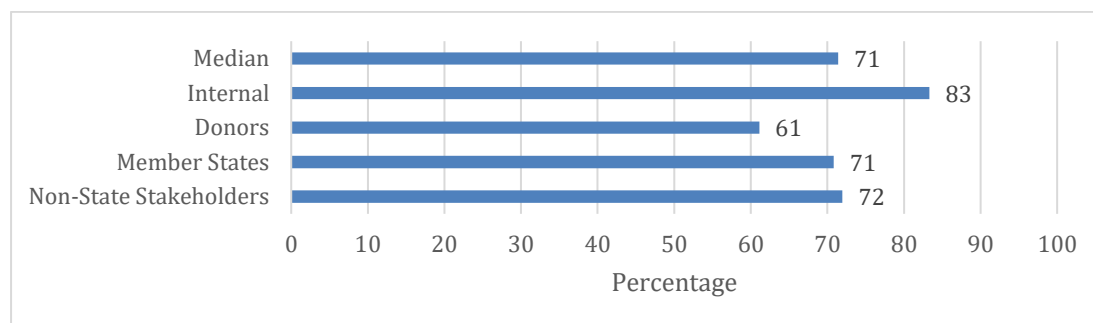
### 3.3.3 Commission’s proactiveness in addressing COVID-19 for vulnerable populations



The perceptions about the Commission’s proactiveness in addressing COVID-19 for vulnerable populations also show significant variations between stakeholder groups, as presented in Figure 14. Internal stakeholders have the highest perceptions about their responsiveness (83%), given weekly reports on the COVID-19 related reporting in the first months of the pandemic and long working hours, Mondays to Sundays.

Non-State stakeholders (72%) and Member States (71%) mirror this perception, to a slightly smaller extent, referring, for example, to guidelines on how to protect vulnerable populations. Information about COVID-19 and indigenous populations was repeatedly mentioned in the interviews or the human rights of persons with COVID-19. Stakeholders also referred to the utility of the COVID-19 SACROI Rapid and Integrated Response Coordination Unit.

**Figure 14: Commission’s proactiveness in addressing COVID-19 for vulnerable populations**



Sources: evaluation interviews and surveys, n=156

“The IACHR has issued valuable statements to address issues of violence against women during the pandemic”.

“The guidelines established during the pandemic were also very useful”.

Sources: IACHR stakeholders

Donors (61%) were less aware of the Commission’s proactiveness in addressing COVID-19 for vulnerable populations during the pandemic and provided more cautious assessments, with exceptions, as shown in the box below.

“The Commission was a great example on how to be resilient in times of COVID-19”.

Source: IACHR donor

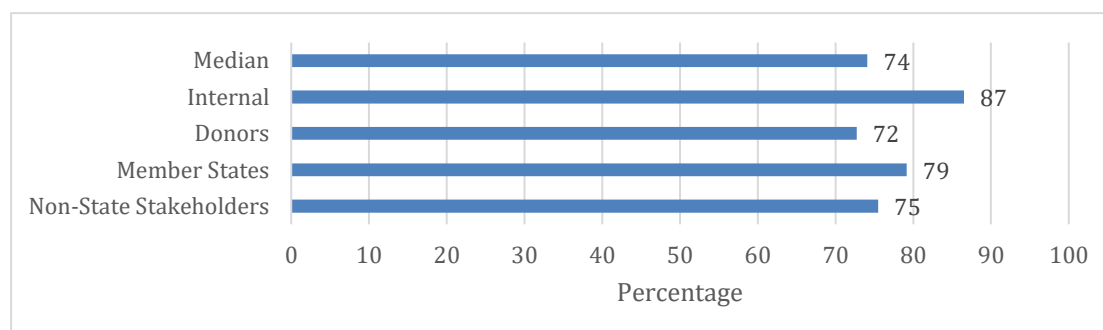
### 3.3.4 Utility of virtual events



Figure 15 shows that Member States (79%) and non-State stakeholders (75%) perceive a very high utility of the Commission’s virtual events. The perception of donors is similarly high (73%).

Internal ratings reach 87%, given the increasing reach of events, “reaching more people more frequently, many of whom were unreached before,” as an internal stakeholder pointed out.

**Figure 15: Utility of virtual events**



Sources: evaluation interviews and surveys, n=156

With the widening of access to the Commission through virtual engagements, the demand also grows. The training delivery in Central America, for example, caused more demand in the sub-region and beyond, which is beyond the Commission’s capacities.

Eighteen months after the onset of the pandemic, some stakeholders noted certain fatigue to participate in virtual events. Hybrid solutions seem to be a way forward. While for meetings States representatives, virtual engagement enables the participation of a more comprehensive representation of relevant state stakeholders, some meetings still work best in person.

The question of connectivity and internet stability arises for the utility of virtual events. However, limitations main seem to show in Cuba and Venezuela. Those limitations are also related to the availability of electrical power supply.

A critical issue emerging during the evaluation was using IACHR personnel’s private hardware during the shutdown of the IACHR Secretariat. Given the sensitivity of the information, this practice of using personal hardware raises questions about cyber security and the Commission’s vulnerability to cyber-attacks, given the worsening human rights situation in the Americas and increasing threats, for example, to human rights defenders.

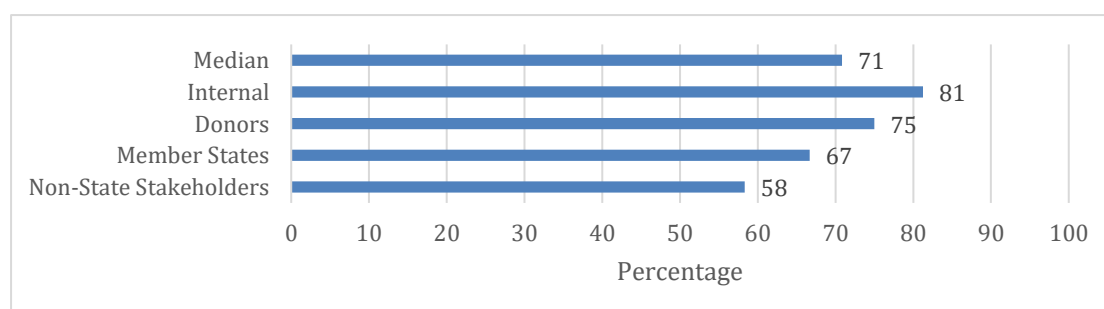
### 3.3.5 Changes in the speed of working on the case system



Figure 16 provides an overview of the perceptions about the effects of COVID-19 on the speed of working on the case system.

81% of internal stakeholders and 75% of donors perceived an acceleration of working speed due to the systematization and creation of procedures at the beginning of the Strategic Plan implementation. Perception of Member States (67%) and Non-State stakeholders (58%) were more critical about accelerating the case system's speed in the COVID-19 context due to unexpected competing priorities of the Commission.

**Figure 16: Acceleration of the speed of working on the case system**



Sources: evaluation interviews and surveys, n=156

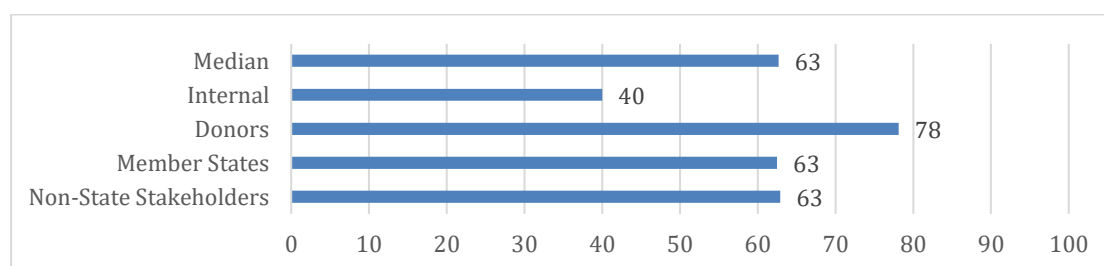
Notably, non-State stakeholders showed their deception about lengthy procedures of their cases in the Inter-American system after spending years going through their national legal systems. For many, the urgency of their cases is not reflected in the speediness of the Inter-American system, with a perceived slow down during the pandemic.

### 3.3.6 Changes in the production of thematic or country reports



During the pandemic, donors perceived an acceleration in the speed of producing IACHR reports (78%, see Figure 17). The latter is mainly related to IACHR reporting related to COVID-19, such as the publication of resolutions, for example, “Pandemic and Human Rights in the Americas,” with a significant weight in the multilateral system in the Western Hemisphere.

**Figure 17: Changes in the production of thematic and country reports**



Sources: evaluation interviews and surveys, n=156

The latter rationale also influenced Member States and Non-State stakeholders, which perceived an acceleration of the production of reports (63% respectively). Internally, 60% of stakeholders noted a deceleration of the production of reports, as scheduled thematic and country reports experienced delays of up to one year due to a reprioritization during the pandemic.

In this context, the evaluation found that in 2019, the Commission published 12 thematic reports and one country report, compared to five thematic reports and one country report in 2020.<sup>37</sup>

<sup>37</sup><https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/reports/thematic.asp>

## 4. Effectiveness: were project results achieved, and how?

The following section analyses the achievement of IACHR results during the Strategic Plan 2017-2021 under the evaluation criterion of effectiveness. The sub-criteria are based on the agreed evaluation matrix and work plan. Those sub-criteria comprise i) the achievement of Strategic Plan objectives using the six indicators at the purpose level (outcome) of the Strategic Objectives; ii) assessment of results for the Strategic Objectives' 71 indicators at the output level; iii) stakeholder perceptions about results achievement; iv) results of capacity building; v) timeliness of IACHR engagement; vi) contribution to the implementation of recommendations; vii) systemic change; viii) impact and reach of thematic reports; and ix) unplanned results.

The data sources used as the evidence base for the effectiveness section are the document review, interviews, and online surveys.

### Key findings: The implementation of the IACHR's Strategic Plan 2017-2021 shows very high effectiveness.

- For the 23 outcome level indicators 20 have been either fully achieved (5 indicators) or exceeded (15 indicators) across the strategic objectives.
- At the output level, 64 out of the 71 indicators were fully achieved, exceeded or show an achievement of 75% and higher.
- The median of the perceptions of Member States, Non-State stakeholders, donors, and internal personnel for high level objectives are high and range from 60% to 65%.
- Capacity building under the Strategic Plan, was very successful, with significant changes at the workplace for participants of IACHR training, and an application rate of training reaching 85%.
- The evaluation finds timely engagement of the Commission to crisis, for example in the case of Colombia (2021).
- The Commission enables systematic change thorough its work, beyond addressing the violation of human rights at the personal level. The evaluation found in a random analysis benefit of systemic change for up to 13.95m people.
- Assessing the impact of four thematic reports related to the rights of women and people in situations of human mobility shows promising results.
- One of the unplanned results is the Commission's increasing ability to focus on real-time human rights challenges in the Americas due to increased funding, growing human resources, and a reduction of backlog in cases.

The evaluation finds very high effectiveness of the IACHR Strategic Plan implementation, with a score of 93 out of 100 ("green")<sup>38</sup>.

### 4.1 Achievement of Strategic Plan objectives: outcomes



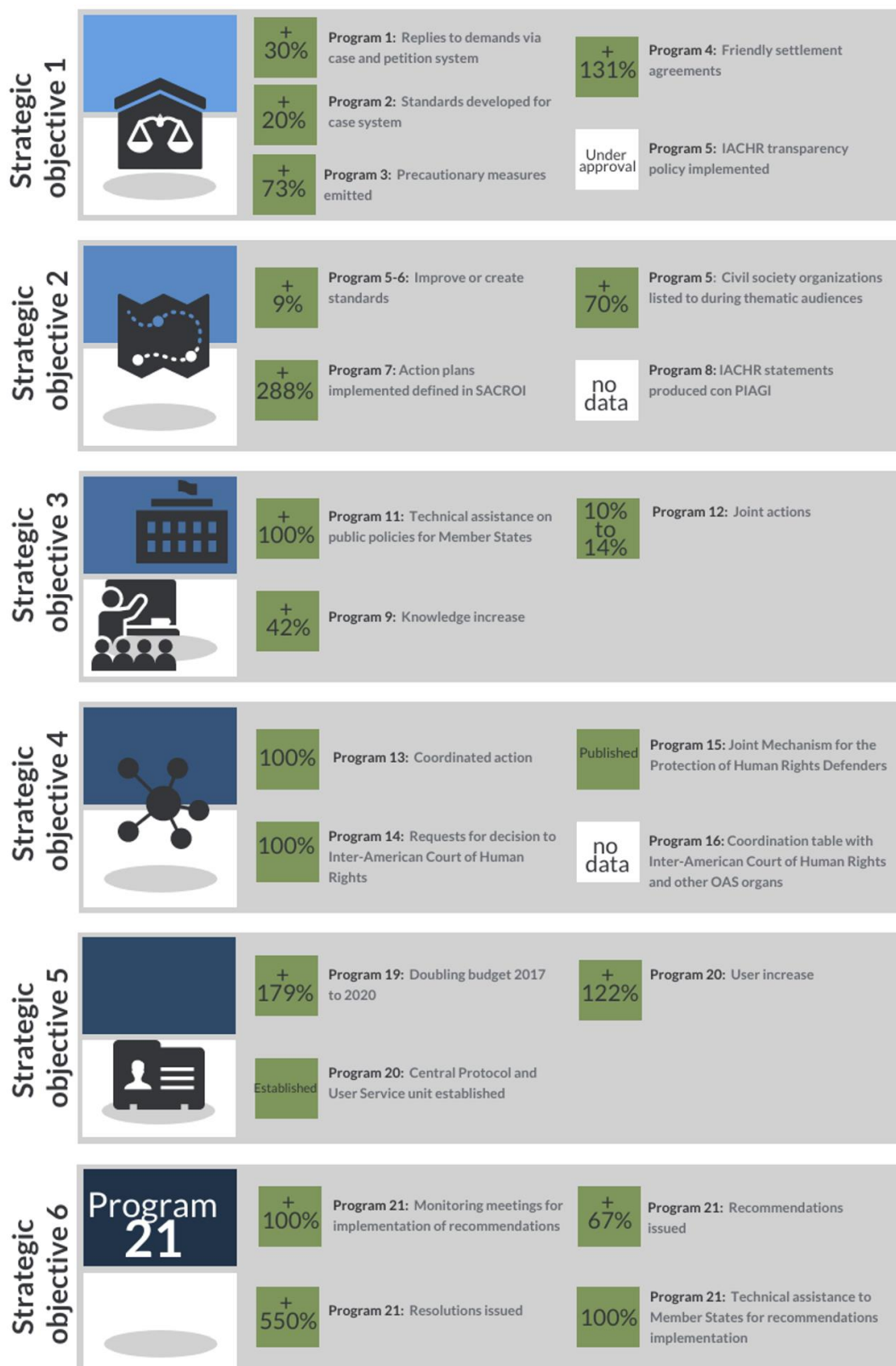
Figure 18 is based on the excellent IACHR's monitoring data, which was up-to-date and readily available for this evaluation. The figure shows that for the 23

<sup>38</sup> The ratings are as follows: 4.1 = 3,3,3,3,3,3; 4.2 = 3; 4.3 = 2; 4.4 = 3; 4.5 = 2; 4.6 = 3; 4.7 = 3; 4.8 = 2; 4.9 = 3. Total score of 34 out of a maximum score of 42 (14\*3). Overall performance =SUM(39/42)\*100 (92,86%)



outcome level indicators, 20 have been either fully achieved (5 indicators) or exceeded (15 indicators).

Figure 18: Outcome level achievement of Strategic Plan 2017 – 2021: targets by program



Source: IACHR monitoring data, 2021. Design: A. Engelhardt 2021

This elevated level of accomplishment of outcomes shows very high effectiveness of the Strategic Plan implementation between 2017 and 2021 across all strategic objectives, including Program 21 (strategic objective 6). The following paragraphs present some of the outstanding results and areas of improvement listed by strategic objective.

### **Strategic Objective 1 (state SO)**



Between 2018 and 2021, the Commission provided 17.731 answers to requests received through the petition and case system concerning supposed human rights violations, exceeding the target of 13.600 by 30 %. This result highlights the enhancement of processes and procedures in the case and petition system. The 2020 Annual Report states important increases in the speed of the case system, compared to 2019. The latter are highly significant, given that those positive changes took place amidst the COVID-19 pandemic. The approval of 290 admissibility reports and 67 merits reports, represented an increase of 190% and 106%, respectively, from 2019. The evaluation confirms the internal reporting through external interviews that the rationale for those changes were due to “more vigorous use and monitoring of friendly settlements; timely decisions on a record number of requests for precautionary measures; and a streamlined initial review of petitions, as well as more expeditious processing of cases and petitions”<sup>39</sup>.

Besides, 276 precautionary measures were issued till 2021 to protect persons from irreparable damage, exceeding the target of 160 by 73%. Finally, the Commission reached 37 Friendly Settlements, well beyond the 16 targeted (+ 131%). Reaching Friendly Settlements saves time and resources for both the IACHR and the presumed victims of human rights violations. The Commissions Transparency policy has been drafted and is currently at the approval stage.

### **Strategic Objective 2**



The IACHR reached 2037 civil society organizations during thematic audiences, exceeding the target of 1200 by 70%. The virtual engagement following the onset of the COVID-19 pandemic significantly enhanced the Commissions’ reach, as previously stated in this report.

Also, the Commission enhanced or generated standards for 12 out of its 12 thematic priorities, exceeding the target of 11. Work on the Integrated Platform for Analysis and Management (PIAGI) did not advance as expected, and no data was available on results achievements.

### **Strategic Objective 3**



The Commission delivered technical assistance in six cases to Member States for public policies focusing on human rights, exceeding the target of three.

In the cases of the Dominican Republic and Mexico, the technical assistance focused on equality and non-discrimination, amongst others. The Commission supported El Salvador on two occasions concerning transitional justice, while it supported Colombia in the work plan related to the Peace Agreement. Finally, in Ecuador, the Commission provided technical assistance for the Agreement with the Office of the Ombudsman of Ecuador to promote the use of the Inter-American Human Rights System and its standards.

### **Strategic Objective 4**



The Commission exceeded the target of 60% of coordinated action taken with other actors in critical human rights situations, reaching 100%. In 18 out of 18 recorded cases, press releases following joint statements with the United Nations (UN) in 2021, for example, concerned the Institutional crisis in El Salvador in a statement

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<sup>39</sup> IACHR, 2021: Annual Report 2020, page 1

(September 2021), the suppression of peaceful protests in Colombia (May 2021), and the Excessive use of force and expulsion of migrants from Haiti at the US border with UN (October 2021). No data was available for the coordination table with the Inter-American Court of Human Rights and other OAS organs.

#### **Strategic Objective 5**



The Commission achieved a budget increase of regular fund by +179%, from US\$ 5,6m to US 10,1m, meeting largely the target of 200%.

#### **Strategic Objective 6**



Participation of Member States in the meetings to monitor compliance with the recommendations issued in the merit reports exceeded the target by 100%, reaching 60 meetings. Participating countries comprised Argentina, Belize, Brazil, Canada, Chile, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Mexico, Peru, and the United States of America.

### **4.2 Achievement of Strategic Plan objectives: outputs**



Figure 20 on page 33 presents an overview of the output level achievement across the strategic objectives and its 21 Programs, showing very positive results.

#### **Strategic Objective 1**

Out of the 12 output indicators, 11 are either achieved, exceeded targets, or show an achievement rate above 75% for programs 1,2,3 and 4.

One highlight includes the high rate of demands for precautionary measures evaluated between 2018 and 2021, exceeding the target of 4000 by 466 (+12%). The only area of improvement shows for Program 4 concerning access to information to users.

#### **Strategic Objective 2**

The evaluation found in the IACHR's monitoring data that for the 15 output indicators, 11 targets were either achieved, exceeded, or achievement was above 75% for programs 5,6,7, and 8. One highlight includes the annual monitoring of human rights across all 35 countries in the Western Hemisphere through memos, reports, loco visits, working visits, press communications, or letters to States. This result was well beyond the target of 24 States (+46%).

Among the shortcomings is the human rights situation for three units, which were not included in the IACHR's Annual Reports (Memory, truth and justice, rights for disabled people, and old persons).

Besides, the Integrated Platform for Analysis and Management (PIAGI) was not implemented. Instead, the Commission uses a management tool in Airtable (cloud collaboration service) in which the information is systematized and facilitates the information management system. Although the Commission does not use the initially envisaged the platform, work has advanced in a similar direction.

#### **Strategic Objective 3**

The Commission exceeded all targets for Strategic Objective 3, covering Programs 9,10,11, and 12. One highlight includes the participation of persons in human rights promotion and training activities, reaching 26.070 persons (+2507%) thanks to the swift and systematic use of virtual means after the onset of the pandemic.

#### Strategic Objective 4

Out of the nine outputs indicators, targets for seven indicators were either achieved, exceeded, or achievement was above 75%.

Highlights comprise the increase of the joint activities with other organs of the Universal Human Rights System, which exceeded the target of 24 and reached 97 joint activities (+304%).

Areas of improvement include increasing working plans, MoUs, other agreements with organs of the Universal Human Rights System, and joint activities with the Inter-American Court for Human Rights.

#### Strategic Objective 5

The evaluation finds that for the ten outputs indicators, targets for nine either achieved, exceeded, or achievement was above 75%.

One highlight concerns the people reached through social media campaigns, with a final target of 35m. Based on internal data, the Commission reached an average of 82m people annually through its social media campaigns (2017-2020).

An area of improvement is results-based management capacity building for 75% of IACHR personnel, which was not satisfactorily achieved (44% achievement rate for 2021).

#### Strategic Objective 6

Under SO 6, 14 out of 16 targets for the respective indicators were either achieved, exceeded, or achievement was above 75% for program 21, which constitutes SO 6.

Highlights include the new methodology for monitoring compliance with the recommendations issued by the IACHR in its merit reports designed implemented, as presented in the IACHR's Annual Report 2018.

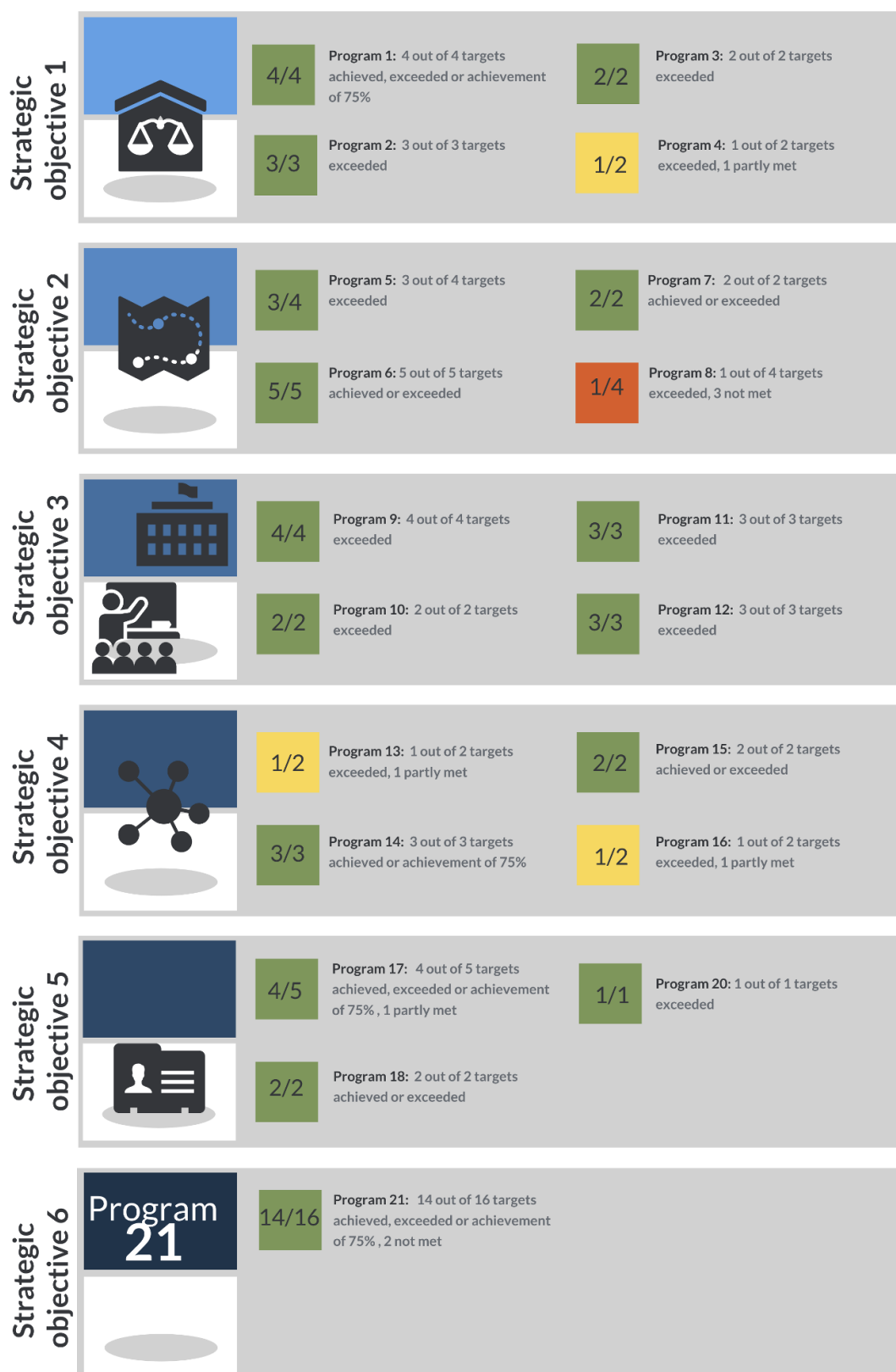
One area of improvement is the annual reporting on compliance with the recommendations issued by the IACHR in precautionary measure 409/14 on Ayotzinapa students during the duration of the Special Follow-up Mechanism on the Ayotzinapa matter (MESA). The evaluation notes that this reporting was irregular and only undertaken in 2018.

Figure 19: Photos from the IACHR's Special Follow-up Mechanism visit to Ayotzinapa, 2018



Sources: IACHR, on Flickr <https://www.flickr.com/photos/cidh/sets/72157700895670354/with/44594990501/>

Figure 20: Output level achievement of Strategic Plan 2017 – 2021



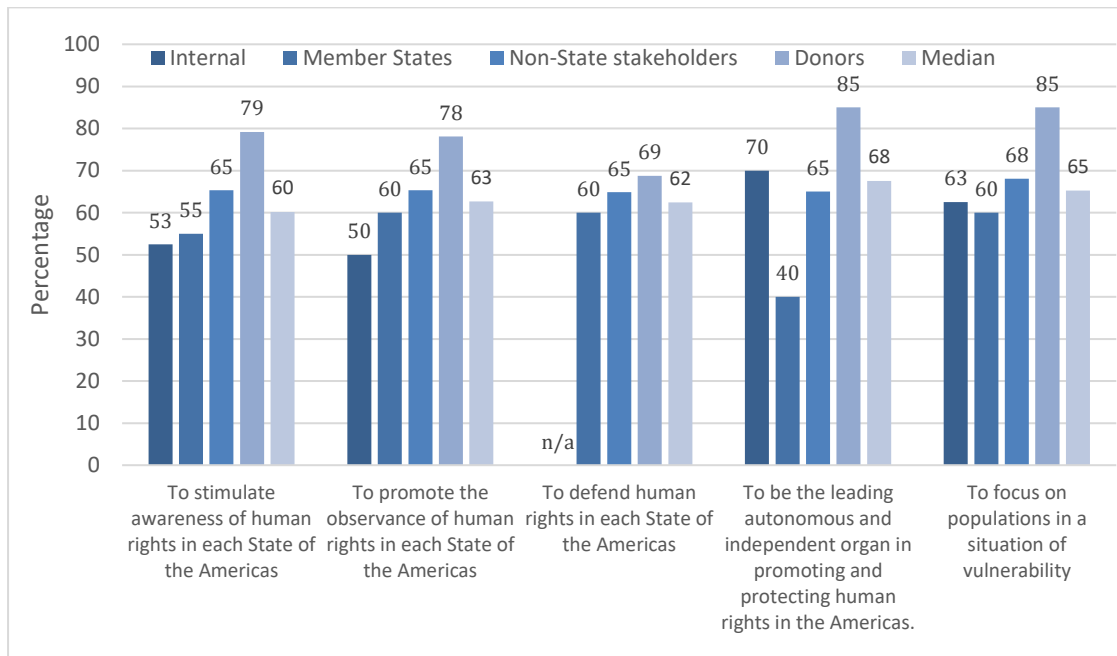
Source: IACHR monitoring data, 2021. Design: A. Engelhardt 2021

### 4.3 Achievement of Strategic Plan objectives: stakeholder perception



Figure 21 summarizes the stakeholder perception about the high-level results of the IACHR during its Strategic Plan 2017 – 2021, as expressed in the IACHR’s mission and vision statements. The median of the perceptions of Member States, Non-State stakeholders, donors, and internal personnel show high results for all criteria, ranging from 60% to 65% results achievement. At the same time, significant differences in stakeholders’ perceptions show.

**Figure 21: Stakeholder perception about the achievement of IACHR Strategic Plan 2017-2021 high-level results**



Source: evaluation survey, n=123

Internal personnel tends to be more cautious in the ratings for most high-level results, while donors are the most optimistic stakeholder group.

Results concerning the stimulation of awareness of human rights in each State of the Americas reached the highest ratings from donors (79%), compared to the lowest ratings of internal personnel (53%) and a median of 60%.

Amidst a worsening human rights environment across the Americas<sup>40</sup>, stakeholders noted encouraging improvements in the awareness of human rights in certain countries such as Mexico, which is open to international human rights mechanisms and related monitoring. In some Central American countries, government changes during 2017 – 2021 affected the human rights agenda, with the IACHR’s facing challenges in reaching the new governments.

<sup>40</sup> See section 1.9 on the IACHR’s Strategic Plan 2017-2021 Theory of Change and the references to OHCHR’s Annual Reports 2012 and 2020.

In this context, the Commission seems to take at times an ad-hoc approach to communication. The dissemination of its position, work, and reports need to clearly target the desired audiences, requiring a longer-term perspective.

For promoting the observance of human rights in each State of the Americas, internal personnel provided the lowest results ratings, with 50%. Donors had the highest perception of results, with 78% of ratings and a median of 63%.

Stakeholders pointed out that the observance of human rights is directly under the mandate of Member States and their governments. Hence, the observance of human rights is beyond the direct control of the Commission.

However, with launching SIMORE, the searchable database for tracking the implementation of IACHR recommendations in 2020 and the IACHR Impact Observatory in 2021, the Commission aims to track the observance of human rights across the Americas closely.

Stakeholders are mostly in agreement concerning results in the IACHR's role defending human rights, with ratings ranging from 60% (Member States) to 69% (donors) and a median of 62%. The evaluation finds that the human rights situation in the Americas worsened in the course of the Strategic Plan implementation, further challenging the Commission in delivering on its mandate.

Stakeholders show the highest level of divergence in their perceptions about the autonomy and independence of the IACHR. Member States have the lowest perception, with 40% of ratings, while donors are unmistakable about the very high perception of the Commission's autonomy and independence with 85% of ratings. The median reaches 68%.

Depending on the Member State's political discourse, the autonomy and independence of the IACHR are seen very critically. Besides, the discontinuation of the former IACHR Executive Secretaries contract by the OAS was seen as a direct political interference, as found in the external evaluation of the U.S.-funded program of the IACHR. Including close allies of the Commission, such as the OHCHR, openly mentioned the "risks of undermining the independence" of the IACHR at the time.

However, the evaluation finds that the Commission defended human rights across the Americas independently whether governments were conservative, as in the cases of Brazil, Chile, or Colombia or whether governments had socialist political orientation, as in the cases of Cuba, Nicaragua, or Venezuela.

"As a donor, we have seen that the Commission maintained its independence in Venezuela, despite so many pressures"

"With much sadness we have witnessed that the IACHR is politically influenced".

"When several countries get together and start questioning the IACHR's mandate, it seems that the Commission is doing something right".

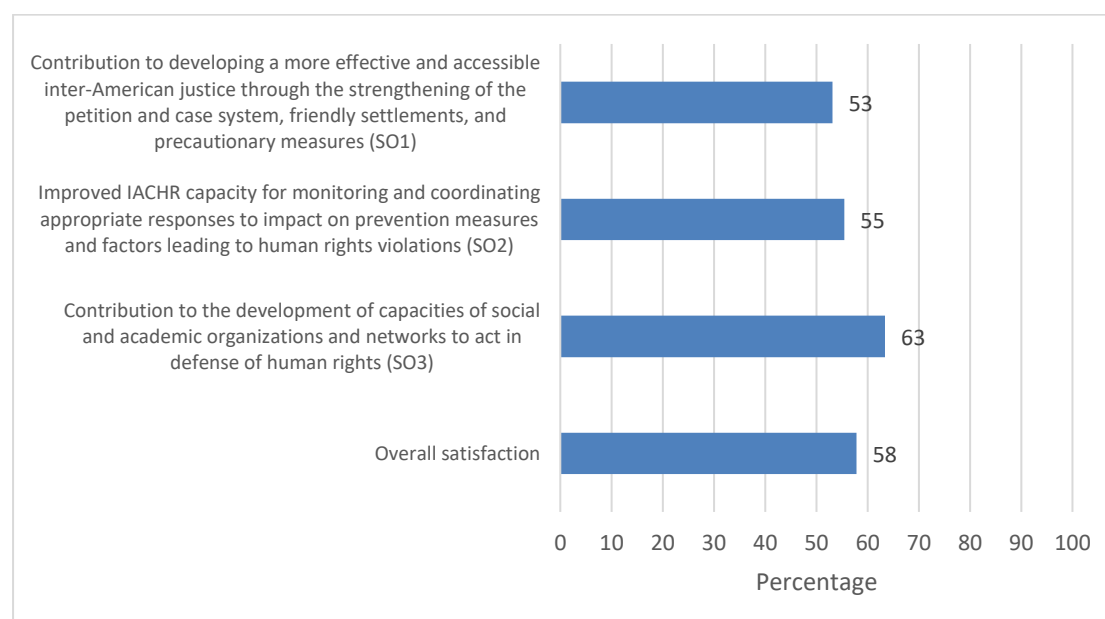
Sources: IACHR stakeholders

Member States also identified the administrative and financial management of the IACHR dependent on the OAS, with a perception of heavily bureaucratic rules and procedures. The latter affect the Commissions autonomy in the views of some Member States.

Concerning the Commission’s focus on populations in situations of vulnerability, Member States perceive the lowest results with 60%, compared to the highest ratings of 85% from donors. The median reaches 65%. The evaluation finds that the Commission focuses on vulnerable populations, for example, through its thematic reports. Between 2017 and 2021, four thematic reports addressed women and girls, four thematic reports focused on migrations and refugee issues, and two were dedicated to LGBTI. However, given the broad focus of the commission on vulnerable populations, including, for example, older people and people with disabilities, those latter two groups were less visible in the Commission's work. However, the evaluation noted the creation of the rapporteurship on the rights of persons with disabilities and the rapporteurships on the rights of older persons, both in 2019.

The monitoring results of Strategic Plan 2017 - 2021 outcomes and outputs showed a very high level of results achievement. When enquiring about stakeholder perceptions about results under Strategic Objectives 1,2 and 3, those perceptions show more nuanced results. Figure 22 summarizes the views of non-State stakeholders. The perceptions about the Commission’s progress towards SO1 reach 53%, compared to 55% for SO2 and 63% for SO3.

**Figure 22: Stakeholder perception about the achievement of high-level results**



Source: evaluation survey, n = 35

Non-State stakeholders have fewer insights into the reduced backlog of the IACHR’s case and petition system and view their personal cases or the ones they are representing. As previously stated, many non-State stakeholders show fatigue after having passed through all instances of their respective national judicial system and then faced with lengthy IACHR procedures. Expectations are very high, and the victims of presumed human rights abuses must often wait over one decade to face justice, counting the entire process, including in their home country.

For the monitoring and coordination of appropriate responses to impact prevention measures and factors leading to human rights violations (SO2), single voices among non-State stakeholders raised concerns about the precautionary measures. In one case shared with the evaluators, an LGBTI person was killed despite a precautionary measure, which of course always have the intention of an enhanced protection. In other cases, stakeholders questioned whether precautionary measures expose victims of human rights abuses, particularly in countries with non-democratic structures, hence putting those persons even at greater risk.



However, some stakeholders in Venezuela stated, for example, that precautionary measures have an effect despite no official reaction of the government, as international attention is put on those victims of human rights abuses.

Non-state stakeholders benefitted from capacity building, and this targeted approach is reflected in higher results ratings (63%).

#### 4.4 Results of capacity building



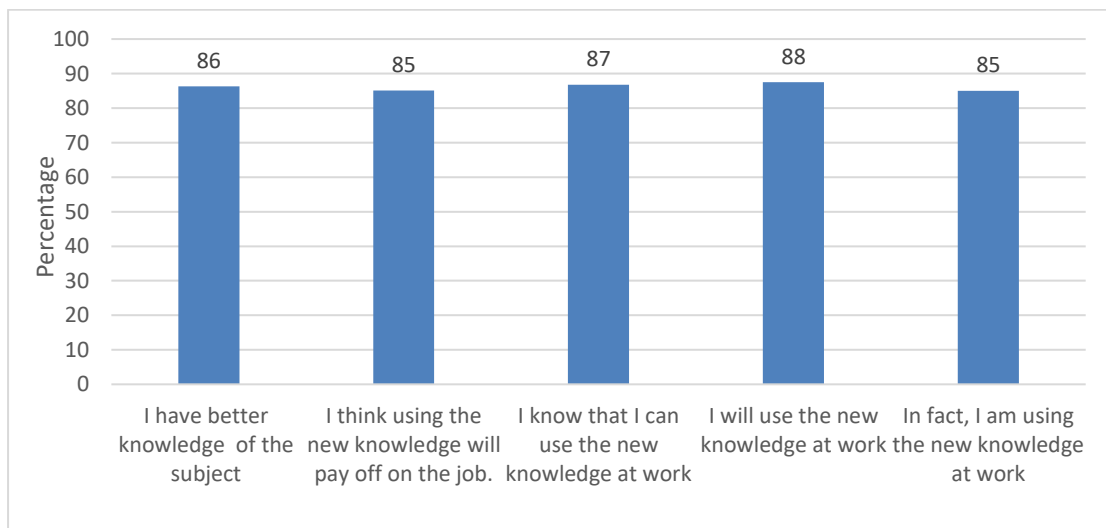
The evaluation reached 71 stakeholders benefitting from IACHR capacity building during the Strategic Plan 2017-2021. Through an online survey, respondents participated from El Salvador (36%), Honduras (19%), Guatemala (16%), Argentina (10%), and other countries like Brazil, Colombia, Mexico, Paraguay, and Peru, 19%), with 63% female respondents and 37% male ones.

The relevance of capacity building was very highly relevant (89%), very highly timely (82%), with very high effectiveness of the virtual training format (86%). The capacity building’s focus on vulnerable populations was heights in the case of human rights defenders (84%), women (81%), and freedom of expression (81%). The lowest ratings showed for the focus on older people (74%), people with disabilities (73%), and afro-descendants (67%).

Figure 23 summarizes the workplace changes for IACHR training participants, based on their perceptions using a self-assessment, showing very positive results.

Based on the Kirkpatrick approach to evaluating training, the results below show changes at different levels, starting from changes in knowledge, the attitude to use the knowledge, determination in doing so, and the application of knowledge. Interestingly, along this trajectory for using new knowledge gained at the IACHR capacity building events, ratings are very high from the uptake of knowledge to its practical application at the workplace, varying only slightly, between 85% and 88%.

Figure 23: IACHR capacity building results – changes at the workplace I



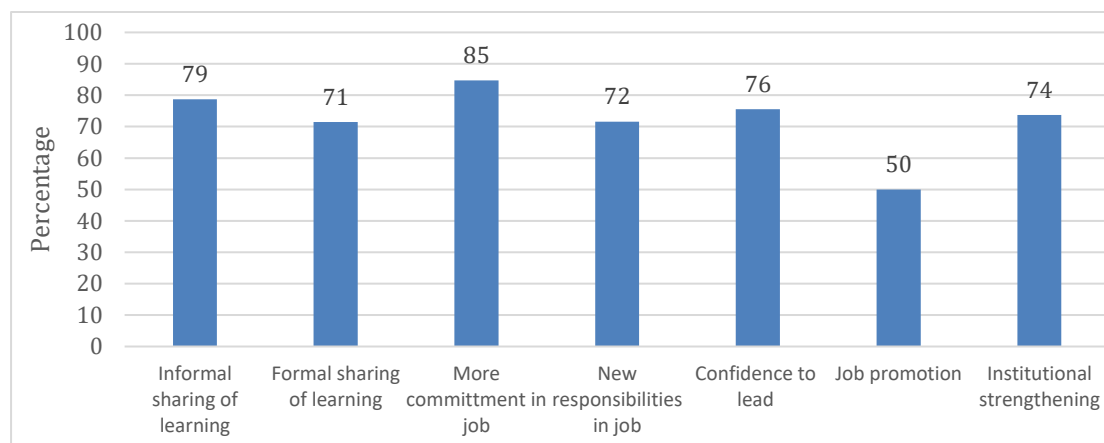
Source: evaluation survey, n=71

Figure 24 presents the specific changes that participants experienced after the training at their workplace. In this context, participants stated that the degree of IACHR contributing to these changes is high, reaching 75%.

The above results are particularly important, given the rather negative effects of COVID-19 on events, including capacity building of international organizations.

The ILO, UNESCO, and the World Bank (2021)<sup>41</sup> found in a global study on skills development in the time of COVID-19 that “[w]ith only a few exceptions, the increased adoption of distance learning solutions by training (...) has not facilitated the acquisition of practical skills and organization of work-based learning.” The study found a “lack of operational distance-learning platforms and educational resources, (...) and a general decline in the quality of training caused demotivation among learners and teachers.”

**Figure 24: IACHR capacity building results – changes at the workplace II**



Source: evaluation survey, n=71

The most critical changes show for a very significant commitment in the workplace to apply the new learning (85%), followed by informal sharing of knowledge with colleagues (79%) and the confidence to lead at the workplace on the topic addressed in the IACHR training (76%). 50% of respondents experienced a job promotion following the training, and 74% of trainees perceive that they contributed to an institutional strengthening in the topic addressed in the IACHR training.

The factors influencing the application of learning were a conducive organizational culture at the workplace (72%), positive attitudes of supervisors (65%), and the organizations’ incentive systems (61%).

#### 4.5 Timeliness of IACHR engagement



The document review showed that the IACHR reacted to the crisis in Colombia, Bolivia, and Nicaragua. In the case of Colombia, protests broke out on 28 April 2021<sup>42</sup>. The IACHR issued five press releases in the process, the first one on 7 May 2021<sup>43</sup>, showing a swift reaction. Other press releases followed in May and early

<sup>41</sup> International Labour Organization and World Bank 2021: Skills development in the time of COVID-19: Taking stock of the initial responses in technical and vocational education and training, page III.

[https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---ifp\\_skills/documents/publication/wcms\\_766557.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_766557.pdf)

<sup>42</sup> <https://www.crisisgroup.org/latin-america-caribbean/andes/colombia/090-pandemic-strikes-responding-colombias-mass-protests>

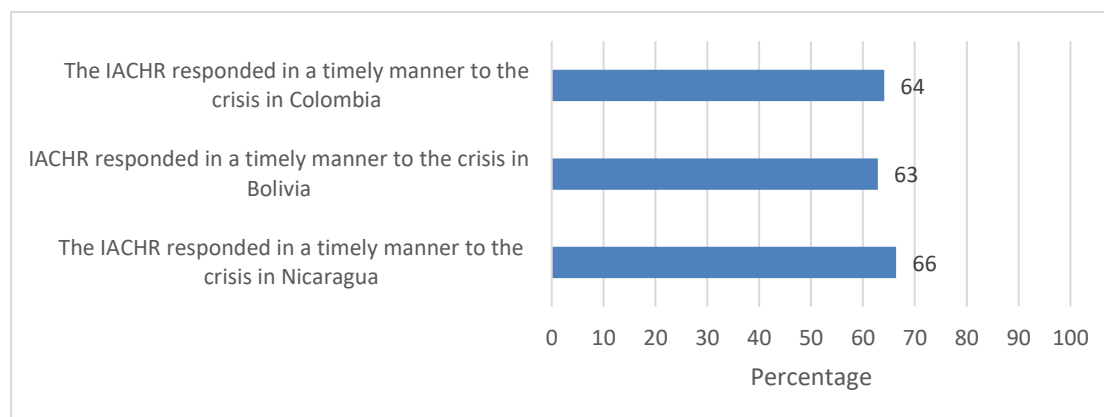
<sup>43</sup> The IACHR and RFOE Expressed Concern Over the Seriousness and High Number of Reports of Human Rights Violations During the Social Protests in Colombia  
[http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media\\_center/PReleases/2021/118.asp](http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2021/118.asp)

June<sup>iiiiiv</sup>, leading to an in loco visit June on 8 -9, 2021 to Colombia<sup>v</sup>, less than six weeks after the outbreak of social unrest.

This crisis response time is confirmed through non-State stakeholders’ high ratings for all three crises, reaching 63% for the crisis response in Bolivia, 64% for the crisis response in Colombia, and 66% for the crisis response in Nicaragua (see Figure 25).

The implementation of IACHR recommendations and States’ compliance is beyond the control of the Commission. As previously stated, the Commission is, however, taking measures to stimulate and track implementation.

**Figure 25: Timeliness of IACHR engagement in human rights crisis**



Sources: evaluation survey and interviews, n=76

#### 4.6 Contribution to the implementation of recommendations

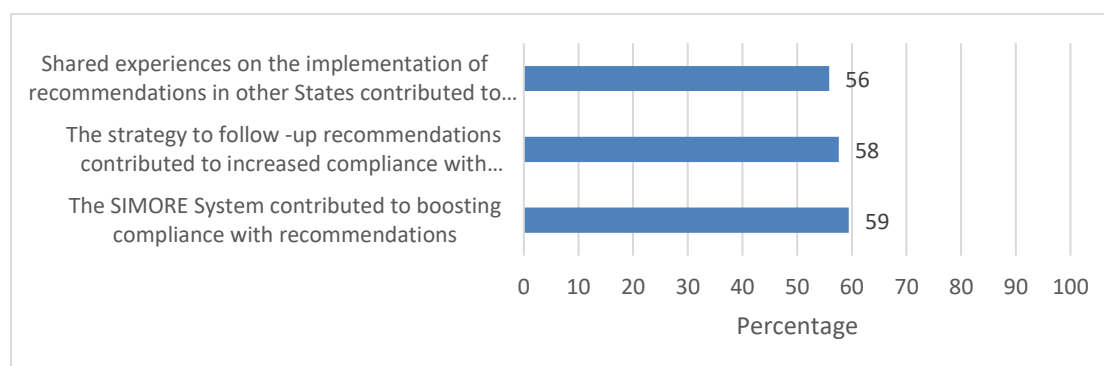


For stakeholders, the approach of sharing experiences on the implementation of recommendations in other States is useful. However, the contribution to implementing recommendations by other States is more limited, reaching 56%.

The SIMORE platform to track the implementation of recommendations contributed to some extent to the increased States’ compliance. After its launch in 2020, the platform seems very promising and received benevolent comments from donors. However, its full use is still outstanding. This finding from the external evaluation of the U.S.-funded program (2021) was validated.

Error! Not a valid bookmark self-reference. shows that those results of the Commission's work reach success ratings between 56% and 59%, based on Non-State stakeholders’ perceptions.

**Figure 26: IACHR follow up of recommendations contributing to compliance**



Sources: evaluation survey and interviews, n=79

One non-State actor summarized the effectiveness of SIMORE as presented in the box below.

“Although the SIMORE constitutes an advance in the transparency and visibility of the recommendations made by the IACHR, the lack of a strategy to promote compliance with the recommendations of the IACHR itself and the judgments of the Inter-American Court continues to be a weakness”.

Source: non-State actor

The evaluation's SWOT analysis (Strengths, Weaknesses, Opportunities, and Threats) of the IACHR's work under the Strategic Plan 2017 – 2021 is presented in Figure 27.

Figure 27: SWOT analysis

<p><b>Strengths</b></p> <ul style="list-style-type: none"> <li>• Legitimization, reputation, and integrity: sets moral standards</li> <li>• Transparency and accountability</li> <li>• Robustness of IACHR governance structure</li> <li>• Commitment to working with State actors, non-State actors, and victims</li> <li>• Well qualified personnel</li> <li>• IACHR's strategic plan as a basis for institutional strengthening and strong leadership</li> <li>• Widening its audience and virtual accessibility due to successful COVID-19 mitigation measures</li> </ul>	<p><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>• New Executive Secretary shaping new Strategic Plan with growing budget</li> <li>• Institutional strengthening: better internal cooperation, use of independent expert groups</li> <li>• More dialogue with Member States, based on strategies</li> <li>• Growing demand for human rights defense in an increasingly hostile environment</li> <li>• Hybrid system: combine virtuality and onsite work</li> <li>• Increase data processing to enable early warning for better preparedness</li> <li>• Impact measurement with a victim and systemic focus</li> <li>• Better access to Caribbean stakeholders</li> </ul>
<p><b>Weaknesses</b></p> <ul style="list-style-type: none"> <li>• Bureaucratic structure as part of OAS administration that slows down the human rights defense process</li> <li>• Under-resourced: structural dependency on Member States and donors for funding</li> <li>• Slow, lengthy, and costly processes in the case system</li> <li>• Challenge of prioritization in an increasingly complex context where demands grow and are more diverse</li> <li>• Accessibility for citizens</li> <li>• Human resources: Instable staff situation, a trend of short-term contracts on a consultancy basis which affects staff motivation</li> </ul>	<p><b>Risks</b></p> <ul style="list-style-type: none"> <li>• Lack of Human resources and loss of credibility for their incapacity to solve urgent human rights defense demands</li> <li>• Political pressure from Member States and interference in IACHR's autonomy and mandate</li> <li>• Further rapid deterioration of human rights situation in the Americas and lack of States' cooperation</li> <li>• Donors: trends of tied project funding which does not cover the Commission's operations costs</li> </ul>

Source: Evaluation interviews and survey

Human resources play a prominent role in the SWOT analysis, being the cornerstone for the Commission’s endeavors for the next Strategic Plan. The box below highlights some of the specific comments captured during the evaluation process.

“I applaud the Commission for its excellent human talent”.

“The IACHR is under staffed and staff is over-worked”.

“I witnessed the exploitation of staff in the Commission, working even at nights and during weekends when COVID-19 hit”.

Sources: IACHR stakeholders

## 4.7 Systemic change



The IACHR documents systematic change, for example, in 2018<sup>44</sup> and 2019<sup>45</sup>. Besides, donor reports provide insights into systemic change and the reach of the IACHR’s case and petition system results. This section summarizes some cases of systemic change, taking a random approach. As such, the evaluation analyzed IACHR reports, including donor reports based on accidental (“random”) sampling, an approach often used in evaluations. Hence, the true extend of systemic change might be significantly above the numbers analysed in this section.

### **Ethnic minorities: Indigenous people and Afro-descendants**

In the Swiss-funded IACHR intervention, the Commission protected human rights and good governance around natural resources, emphasizing territories of indigenous peoples and Afro-descendants in Central America. The Commission reports in May 2021 about four merit reports resulting in the **development of standards that benefitted 245,117 persons in the above communities**<sup>46</sup>.

### **Human rights defenders and social leaders**

The 2021 report of the Ford Foundation-funded project on precautionary measures stated that **33 precautionary measures forming part of the project benefitted 72.000 persons**: human rights defenders, social leaders, including their families, and collectives such as indigenous communities. Examples emerge from Colombia, Guatemala, Honduras, and Mexico.

### **Women and girls, children**

The Canadian-funded project's annual report (2021) summarized results on combating discrimination and violence against women and girls in Latin America and the Caribbean. According to the report, 11 States adopted a total of **26 structural actions to protect the rights of women and girls as part of compliance with published merits reports** and precautionary measures. Those States were Argentina, Bolivia, Brazil, Colombia, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, and Peru, **benefitting approximately 35,815 persons**, including individual women and girls, groups, family groups, and communities.

<sup>44</sup> IACHR, 2018: Impact of the Friendly Settlement. Updated Edition.

<sup>45</sup> IACHR, 2019: Violence against women and girls. Annex 2: impact cases

<sup>46</sup> IACHR, 2021: Fortalecimiento de la gobernanza y la protección de los países del triángulo norte. Informe interino

The report also notes significant structural measures implemented by Member States in response to the precautionary measures granted<sup>47</sup>. For instance, Chile's response to PM 975-17 included adopting national legislation, which led to the **creation of the Office of the Ombudsman for Children, enabling access to the country's 3,695,000 children aged 14 and younger**<sup>48</sup>.

**Box: Impact of IACHR: systemic change for women**<sup>4950</sup>

The following example benefits potentially 8.5 m women in Guatemala (World Bank, 2020) during their lifetimes. As a result of the IACHR recommendations in the preliminary merits report of the case of Maria Eugenia Morales de Sierra, the State of Guatemala reformed Articles 109, 110, 115, 131 and 255, and derogated Articles 114 and 133 of the Civil Code. Some of the following aspects of the legal status of married women were changed:

- Being legally subjected to their husbands in different aspects such as
  - Preventing them from defending their legal interests
  - Choice of a professional career
  - Administration of family assets
  - Authority over the children

Those legal reforms addressed the systemic disadvantages of Guatemalan women.

The second example refers to the Maria da Penha Law. This law consists of a novel body of government actions and legal provision to prevent, investigate, and punish all forms of domestic and family violence against women in Brazil. The evaluation estimates that the law benefits a minimum of 38.640 women each year based on reported cases domestic and family violence. However, only a fraction of cases is reported to the police, making the real reach of the law significantly higher.

The implementation of the recommendations formulated by the Inter-American Commission in the case of Maria da Penha Maia Fernandes led the State of Brazil to propose and approve the Law No. 11.340, enacted on August 7, 2006, which was named as the Maria da Penha Law.

Since being enacted in 2006, the evaluation makes the conservative estimate that based on the reported annual cases of domestic and family violence against women in Brazil, about 580.000 women had access to the law in the past 15 years.

### **Economic rights**

Another significant structural measure was the approval and implementation of short, medium, and long-term strategies to **address structural and historical discrimination in La Guajira**, Colombia (PM 51-15 CO). Those government strategies **benefit the 825,000 inhabitants**<sup>51</sup> of Colombia's second poorest department.

Other examples of systemic change are contained in the IACHR's thematic report titled Impacts of cases of discrimination and violence against women, girls, and adolescents

<sup>47</sup> These structural measures are not counted in the indicator for this period, due to the fact they correspond to different periods of time during the project. These will be included in the final report, once they are individualized and counted separately.

<sup>48</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO), 2021 : <http://uis.unesco.org/en/country/cl>

<sup>49</sup> Population size Guatemala : <https://data.worldbank.org/indicator/SP.POP.TOTL.FE.IN?locations=GT>

<sup>50</sup> Based on the calculation of about 18 cases per 100,000 inhabitants were reported in Brazil between 2013 and 2014 and a population size of 214,7 m.

Source : <https://www.frontiersin.org/articles/10.3389/fpubh.2021.623185/full>

<sup>51</sup> Help Age International 7R4V, 2020: Rapid needs assessment of older people. La Guajira, Colombia

(2018),<sup>52</sup> referring to cases presented in the 2018 IACHR Annual Report. Those cases started well before the Strategic Plan 2017 – 2021, but the Commission is still tracking the implementation status of its recommendations. Under “non-repetition or structural measures: Legislative and Regulatory Reform,” the thematic report lists insightful examples of systemic change.

Figure 28: IACHR in loco visit to indigenous people in Peru, 2017<sup>53</sup>



Based on the above examples, the evaluation estimates that the Commission reached 13,9 m people through its contribution to systemic changes in Member State through structural measures, including legislative and regulatory change. Figure 29 summarizes those results.

<sup>52</sup> IACHR 2018: Impacts of cases of discrimination and violence against women, girls and adolescents

<sup>53</sup> Source: <https://www.flickr.com/photos/cidh/albums/72157683823942783>

**Figure 29: IACHR’s reach of vulnerable groups through systemic change – randomized analysis results**

Vulnerable groups/issues	Countries/Region	Beneficiaries
Indigenous people and Afro-descendants	Central America	<b>245.117</b>
Human rights defenders and social leaders	Colombia, Guatemala, Honduras, and Mexico (and additional countries)	<b>72.000</b>
Women and girls	Argentina, Bolivia, Brazil, Colombia, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, and Peru	<b>35,815</b>
	Guatemala	<b>8.500.000</b>
	Brazil	<b>580.000</b>
Children	Chile	<b>3.695.000</b>
Economic rights	Colombia (La Guajira)	<b>825.000</b>
<b>Total</b>		<b>13,952,932</b>

Sources: Document review and analysis



## 4.8 Impact and reach of thematic reports



This section presents the results of the evaluation of the impact of four thematic reports related to the rights of women and people in situations of human mobility., with promising results. These two topics are highly relevant in the region's countries and have been addressed by the reports with the most recent standards on the matter<sup>vi</sup>.

The assessment of IACHR reports' impact is based on three indicators: (i) the impact produced in the OAS member states, (ii) the dissemination on the IACHR networks, and (iii) the number of citations in publications that deal with the subject. The Google search engine and Google Scholar were used to obtain data and information related to the three evaluation indicators. The box below defines the three impact indicators used for the evaluation of IACHR thematic reports<sup>54</sup>.

### Definition of evaluation indicators

#### **Impact on OAS Member States**

The impact of the thematic reports is conceived from a constructivist approach, according to which the effects of inter-American decisions on the “redefinition of disputes between social groups” are assessed. In this way, this can occur through the empowerment of certain groups of victims or state institutions (indirect effects) or with the change of ideas or perception on the subject matter of litigation (symbolic effects). Two additional effects can also be mentioned. One aims at facilitating certain processes of affirmation of rights (“unblocking” effect), when confronting those mechanisms or state apparatuses that block democracy and the effective exercise of rights; the other is a “deliberative” effect of inter-American decisions, as they promote greater deliberation, social participation, and accountability on certain public policies (see also footnote below).

In sum, this approach shows that the effects of the intervention of the organs of the IAHRs are not limited to compliance with certain measures dictated to the States in the context of contentious cases, but also include other aspects, initially not foreseen, such as encouraging that the States adopt *motu proprio* other measures to respect and guarantee human rights in line with what is established by the organs of the system. In this sense, in this evaluation the impact will be understood from what we call the driving effect of the thematic reports; that is, in relation to the way in which these reports promote the design and implementation of public policies, encourage the issuance of legislative measures, and affect the judicial pronouncements of the internal courts of the OAS member states.

#### **Dissemination in the IACHR networks**

It is a quantitative indicator that will make it possible to assess the dissemination that the IACHR has made of the content of the thematic reports through its:

- Press releases: both the releases that inform their publication and those that refer to the reports under evaluation.
- Social networks: Facebook, Youtube and Twitter.

#### **Amount of citations**

It is a quantitative indicator that will make it possible to assess the reception that the thematic reports have had on the web pages of:

- National and international press
- Blogs, notes and articles (IDEHPUCP notes, articles in academic journals, etc.)
- National public entities (Ombudsman's Office, Ministry of Women, etc.)
- NGOs and civil society (Center for Justice and International Law, Due Process of Law Foundation, etc.)

<sup>54</sup> Parra Vera, Oscar. *El impacto de las decisiones interamericanas. Notas sobre la producción académica y una propuesta de investigación en torno al “empoderamiento institucional”*, p. 389. Disponible en: <http://biblio.juridicas.unam.mx/libros/libro.htm?l=3655>

#### 4.8.1 Results by thematic report

The IACHR's primary functions are promoting, protecting, and monitoring human rights in the region. Within the framework of this latter function, the IACHR is in charge of supervising the human rights situation in the OAS member states, for which it carries out various actions, including the preparation of thematic reports. The thematic reports provide information on the position of the IACHR on a topic of interest to human rights, which may involve a specific State, several States in the region, or the entire region<sup>55</sup>.

Figure 30 presents an insight into the social media reach of sources that quoted the thematic reports, highlighted in light grey. As a comparison, the evaluators assessed two other related thematic reports and two reports from a different topic, LGBTI. Significant differences show in the reach of those sources quoting the IACHR thematic reports due to the number of quoting sources and their status and maturity. Human rights defenders or small NGOs have a more limited reach than, for example, national radio stations, national newspapers, or academic institutions. *Radio Nacional de Colombia*, for example, reaches over 580.000 followers on social media like Facebook, LinkedIn or Twitter, or the newspaper *El Economista* in Mexico reaches over 1.1 million followers.

**Figure 30: Reach of sources quoting selected thematic reports**

Report Title	Year	Reach of sources quoting thematic report
Indigenous Women and Their Human Rights in the Americas	2017	1,194,746
Mujeres Periodistas y Libertad de Expresión	2018	5,543,746
Violence and Discrimination against Women and Girls: Best Practices and Challenges in Latin America and the Caribbean	2019	789,236
Due process in the procedures for the determination of the status of refugee and stateless person, and the granting of complementary protection	2020	5,752,061
Internal displacement in the Northern Triangle of Central America Guidelines for the formulation of public policies	2019	328,250
Forced Migration of Nicaraguans to Costa Rica	2019	38,157,669
the Recognition of the Rights of LGBTI Persons in the Americas	2019	1,305,619
Trans and Gender-Diverse Persons and Their Economic, Social, Cultural, and Environmental Rights	2020	2,294,867

Sources: Evaluation Internet search and analysis

<sup>55</sup> Salmón, Elizabeth. *Introducción al Sistema Interamericano de Derechos Humanos*. Lima: Pontificia Universidad Católica del Perú, Fondo Editorial, 2019, p. 145.

#### 4.8.1.1 Report "Indigenous women and their human rights in the Americas."

##### Summary

The thematic report addresses international standards for the effective enjoyment of human rights of indigenous women in the Americas. The report identifies the different forms of discrimination and gaps for the protection of their rights at the national and international levels, which is why a holistic approach is proposed to address the situation of indigenous women. Likewise, the dimensions and areas in which violence against them is manifested and the obstacles they face in access to justice are presented. The barriers that prevent the enjoyment of their economic, social, and cultural rights are also analyzed. Finally, ten recommendations are made to the States to prevent and respond to human rights violations that affect indigenous women.

##### Impact on the States Parties to the OAS

The thematic report has recorded impacts on the adoption of public policies and a legislative initiative in at least four states in the region: Argentina, Mexico, Peru, and Canada.

The Mexican State was the most proactive in implementing the standards developed by this thematic report. At the other extreme, states like Brazil have omitted the standards and recommendations derived from this report. There is evidence of an absence of public policies favoring indigenous women, who have been leading different demonstrations demanding that the current government respect their human rights and territory and condemn sexist violence<sup>56</sup>.

**Argentina:** Among the States that welcomed this report is Argentina, whose General Directorate for Human Rights of the Attorney General's Office, or also known as the Public Prosecutor's Office, published in May 2021 the document entitled "Thematic work tools: Peoples' Law Indigenous people," whose purpose is to disseminate and incorporate the international regulatory framework and the applicable international human rights standards in the matter in fiscal work<sup>57</sup>. In said document, various instruments issued by international human rights bodies were consigned as part of the international regulations, among which the report Indigenous Women of the IACHR stands out.

**Mexico:** In Mexico, the National Human Rights Commission (CNDH), an autonomous constitutional body responsible for the promotion and protection of human rights, presented recommendations in cases that involved the violation of women's rights indigenous: Recommendation 26/2018<sup>58</sup> and Recommendation 11/2021<sup>59</sup>. In both documents, the CNDH used the thematic report to sustain the situation of vulnerability and discrimination faced by indigenous women and establish what the State's action should be in these types of cases. Likewise, the Executive Commission for Attention to Victims, in charge of assisting victims of

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<sup>56</sup> France24. "Mujeres indígenas de Brasil denuncian las "políticas genocidas" de Bolsonaro". 14 de agosto de 2019. Disponible en: <https://www.france24.com/es/20190813-mujeres-indigenas-brasil-contra-bolsonaro>; Telesur. "Mujeres indígenas brasileñas se movilizan para visibilizar sus demandas". 8 de setiembre de 2021. Disponible en: <https://www.telesurtv.net/news/brasil-mujeres-indigenas-reunion-demandas-20210908-0007.html>

<sup>57</sup> Procuración General de la Nación, Dirección General de Derechos Humanos. *Herramientas temáticas de trabajo: Derechos de los pueblos indígenas*. Mayo de 2021. Disponible en: [https://www.mpf.gob.ar/dgdh/files/2021/06/DHDG-derechos-pueblos-indigenas\\_3.pdf](https://www.mpf.gob.ar/dgdh/files/2021/06/DHDG-derechos-pueblos-indigenas_3.pdf)

<sup>58</sup> Comisión Nacional de los Derechos Humanos. Recomendación 26/2018. Ciudad de México, 26 de julio de 2018. Disponible en: [https://www.cndh.org.mx/sites/default/files/doc/Recomendaciones/2018/Rec\\_2018\\_026.pdf](https://www.cndh.org.mx/sites/default/files/doc/Recomendaciones/2018/Rec_2018_026.pdf)

<sup>59</sup> Comisión Nacional de los Derechos Humanos. Recomendación 11/2021. Ciudad de México, 23 de marzo de 2021. Disponible en: [https://www.imss.gob.mx/sites/all/statics/pdf/transparencia/CNDH/REC\\_2021\\_011.pdf](https://www.imss.gob.mx/sites/all/statics/pdf/transparencia/CNDH/REC_2021_011.pdf)

crimes and human rights violations, drew up a "Protocol of Attention to Indigenous Population with a Gender and Intercultural Approach," where it developed some conceptual aspects on women indigenous peoples, based on the thematic report in question<sup>60</sup>.

In the same country, a legislative initiative was presented in 2018, which sought to reform and incorporate new provisions to the General Law on women's access to a life free of violence. Based on the recommendations issued by the IACHR in the Indigenous Women report, the legislative initiative proposed that when they were victims of family violence, they should receive counseling in their own language or be provided with an interpreter. Likewise, it proposed the incorporation of cultural violence as a form of violence derived from "uses and customs that damage psychological stability, the integrity of their body, their family situation, their political development or any other that violates their human rights."<sup>61</sup>

**Peru:** In Peru, the Gender Justice Commission of the Judiciary and the United Nations Development Program prepared a "Manual for the issuance of protection measures within the framework of Law 30364" in order to provide technical tools and regulations to judicial personnel that will grant protection measures to victims of family violence. The standards established in the report Indigenous women are collected regarding the obstacles they face in accessing justice and the forms of violence they suffer<sup>62</sup>. Likewise, these standards were developed in the "National Strategy for the Implementation of the National Specialized System of Justice for the Protection and Punishment of Violence against Women and Members of the Family Group 2021-2026", prepared by the General Directorate against Gender Violence of the Ministry of Women and Vulnerable Populations<sup>63</sup>.

**Canada:** In Canada, the government investigated missing and murdered indigenous women and girls, culminating in June 2019 with the presentation of a final report. In this report, various reports and documents were used to document the human rights situation of this population, and the recommendations made in the Indigenous Women report were taken into account<sup>64</sup>. On that basis, it was concluded that Canada committed genocide against indigenous women and girls, and it was alleged that the structure of its laws, State policies, and practices violate the exercise of the rights of Canadian indigenous women and girls<sup>65</sup>.

The tables below show the dissemination through the IACHR communication channels and the entities quoting the thematic report. A rich and broad mix of IACHR communication channels used shows, which is reflected in a broad range of sources quoting the report.

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<sup>60</sup> Comisión Ejecutiva de Atención a Víctimas. *Protocolo de atención a población indígena con enfoque de género e intercultural*. 12 de febrero de 2019.

<sup>61</sup> Iniciativa que reforma y adiciona diversas disposiciones de la Ley General de Acceso de las Mujeres a una Vida Libre de Violencia, suscrita por la diputada Nancy López Ruiz e integrantes del Grupo Parlamentario del PES. 5 de abril de 2018. Disponible en: [http://sil.gobernacion.gob.mx/Archivos/Documentos/2018/04/asun\\_3695729\\_20180411\\_1522962998.pdf](http://sil.gobernacion.gob.mx/Archivos/Documentos/2018/04/asun_3695729_20180411_1522962998.pdf)

<sup>62</sup> Comisión de Justicia de Género del Poder Judicial y Programa de las Naciones Unidas para el Desarrollo. *Manual para el dictado de medidas de protección en el marco de la Ley 30364*. Lima: Programa de las Naciones Unidas para el Desarrollo, 2021. Disponible en: <https://cutt.ly/FEMMkuj>

<sup>63</sup> Ministerio de la Mujer y Poblaciones Vulnerables. Decreto Supremo 011-2021-MIMP. Decreto Supremo que aprueba la "Estrategia Nacional de Implementación del Sistema Nacional Especializado de Justicia para la Protección y Sanción de la Violencia contra las Mujeres e Integrantes del Grupo Familiar 2021-2026".

<sup>64</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls. *Reclaiming Power and Place: The Final Report*. 2019. Disponible en: <https://www.mmiwg-ffada.ca/final-report/>

<sup>65</sup> Foro Internacional de Mujeres Indígenas. *Estudio global sobre la situación de las mujeres y niñas indígenas*. Lima: Foro Internacional de Mujeres Indígenas, 2020, p. 50.

**Dissemination in the IACHR networks<sup>66</sup>**

Media	Quantitative results	Comments
Press release		2 in Spanish, Portuguese, and English, second one linked to a related event
Facebook	600.000	Number of IACHR followers
Videos	1.000-3.000	Views
Twitter	62	Retweets
YouTube Channel	< 1.000	Views

**Citations<sup>67</sup>**

Media	Comments
Three media from Argentina, Chile, and Colombia	See Figure 27
2 Institutions from Uruguay, Colombia, and Peru	See Figure 27 Web pages of national entities, citation included Peru's Ombudsman's Office
14 NGO and civil society web pages	See Figure 27 National Organization of Andean and Amazonian Indigenous Women of Peru (ONAMIAP): workshop and seminar, in collaboration with the IACHR, on inter-American standards on indigenous matters

Sources: Evaluation Internet search and analysis

#### 4.8.1.2 Report "Women Journalists and Freedom of Expression"

**Summary**

The thematic report portrays the situation of women journalists in America, for which it points out the discrimination they suffer in the media, the different forms of gender-based violence that is exercised against them, such as sexual harassment or violence in line, and the barriers they face in accessing the judicial system and protection mechanisms. Likewise, the applicable international legal framework is developed, consisting of a series of state obligations that seek to ensure the safety and equality of journalists and the role of the private sector in the matter. Finally, several recommendations are made to the States and other key actors, such as the media, universities and journalism schools, journalists' associations, online platforms, and civil society.

**Impact on the States Parties to the OAS**

The report has had a limited impact, as it has influenced few pronouncements by national bodies in cases of violence against women journalists. Along these lines, it has been identified that at least two OAS member states. Colombia and Mexico have taken up the standards and recommendations outlined in this report.

However, contrary state practices are also observed in at least three states in the region: Chile, El Salvador, and Nicaragua.

<sup>66</sup> As of November 8, 2021, the IACHR Facebook account has 599,179 people who follow it.

<sup>67</sup> Defensoría del Pueblo. *Situación de los derechos de las mujeres indígenas en el Perú*. Informe de Adjuntía 002-2019-DP/AMASPPI/PPI. Lima: Defensoría del Pueblo, 2019. Disponible en: <https://www.defensoria.gob.pe/wp-content/uploads/2019/12/Informe-de-adjuntia-002-2019-PPI-Digital.pdf>

In Mexico, the Nuevo León State Human Rights Commission issued a recommendation in a case that involved the arbitrary detention of a female journalist by police officers<sup>68</sup>. In this document, the State Commission alluded to the report about Women Journalists to affirm the situation of violence they suffer, both for the exercise of their profession and their status as women. Likewise, it should be noted that the fourth recommendation made by the State Commission, in this case, was one of the recommendations made by the IACHR in this thematic report, consisting of instructing the security forces on the right of women journalists to carry out their work without gender-based violence<sup>69</sup>.

Likewise, in Colombia, the Constitutional Court heard an action for protection filed by a journalist who suffered a sexual assault by her co-worker and who received, after a complaint in her workplace, the newspaper *El Colombiano*, a revictimizing response<sup>70</sup>. The Constitutional Court resolved the case by declaring the violation, among others, of the right to a life free of violence and discrimination, and ordered the newspaper *El Colombiano* to adopt a protocol for prevention, care, and support in cases of gender violence<sup>71</sup>, for what which was based on the standards developed by the IACHR in the thematic report. This ruling has been considered a judicial benchmark on the matter by some countries in the region, such as Argentina, which has positively assessed the ruling<sup>72</sup>.

### **Contrary state practices**

Although these pronouncements promote the protection of the rights of women journalists, there is still a situation of generalized violence against them in the Americas. In El Salvador, female journalists are exposed to acts of sexual violence, both in their workplace and in the spaces where she practices their profession<sup>73</sup>. A similar situation occurs in Nicaragua, where some are also persecuted and criminalized for their journalistic work<sup>74</sup>. Moreover, cases of attacks, threats, and censorship with gender violence against several journalists have been reported<sup>75</sup> in Chile.

The IACHR communication channels used for this report were fewer compared to the previous report on indigenous women. However, the sources reached and quoting the report were of significantly higher reach, as presented in Figure 30.

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<sup>68</sup> Comisión Estatal de Derechos Humanos de Nuevo León. Recomendación 3/2021. Nuevo León, 1 de junio de 2021. Disponible en: <https://www.cedhnl.org.mx/bs/secciones/recomendaciones/2021/RECOM-003-2021.pdf>

<sup>69</sup> Ibid., p. 37; CIDH. Mujeres Periodistas y Libertad de Expresión. CIDH/RELE/INF.20/18. 31 de octubre de 2018, párr. 168.e.

<sup>70</sup> Dejusticia. “En un fallo histórico, Corte Constitucional condena la violencia de género en espacios laborales”. 10 de junio de 2021. Disponible en: <https://www.dejusticia.org/en-un-fallo-historico-corte-constitucional-condena-la-violencia-de-genero-en-espacios-laborales/>

<sup>71</sup> Corte Constitucional de Colombia. Sentencia T-140/21. 14 de mayo de 2021.

<sup>72</sup> Tiempo Judicial. “Argentina podría también tomar nota del fallo ejemplar que logramos para las trabajadoras de aquí”. 20 de agosto de 2021. Disponible en: <http://tiempojudicial.com/2021/08/20/argentina-podria-tambien-tomar-nota-del-fallo-ejemplar-que-logramos-para-las-trabajadoras-de-aqui/>

<sup>73</sup> Valencia, Serafín & Gaitán, Isabel. Informe anual de la Relatoría de Libertad de Expresión de la Asociación de Periodistas de El Salvador (2019). Asociación de Periodistas de El Salvador (APES), 2020, p. 29.

<sup>74</sup> Guevara, Maryorit. “Mujeres periodistas violentadas por ejercer la libertad de prensa y por su condición de género”. En *La Lupa*. 10 de diciembre de 2020. Disponible en: <https://lalupa.press/mujeres-periodistas-violentadas-por-ejercer-la-libertad-de-prensa-y-por-su-condicion-de-genero/>

<sup>75</sup> El Mostrador. “Proceso Constituyente y la importancia de regular la falta de garantías a la libertad de expresión”. 3 de mayo de 2021. Disponible en: <https://www.elmostrador.cl/braga/2021/05/03/proceso-constituyente-y-la-importancia-de-regular-la-falta-de-garantias-a-la-libertad-de-expresion/>

**Dissemination in the IACHR networks**

Media	Quantitative results	Comments
Press release		1 in Spanish, Portuguese, and English on International Women's Day but not linked to any event
Facebook	600.000	Number of IACHR followers
Facebook	26	Shares
Twitter	19	Retweets
YouTube Channel	0	Not publicized

**Citations**

Media	See Figure 27	Comments
Six press outlets	See Figure 27	Mainly by the Mexican press
8 NGO and civil society web pages	See Figure 27	Includes the Mexican organization "Communication and Information for Women" (CIMAC)

Sources: Evaluation Internet search and analysis

### 4.8.1.3 Report "Internal displacement in the Northern Triangle of Central America Guidelines for the formulation of public policies."

**Summary**

The thematic report is directed mainly at the States with the highest number of internally displaced persons, El Salvador, Guatemala, and Honduras. Those States form the so-called Northern Triangle of Central America. Thus, the main causes and the impact on the protection of rights generated by internal displacement in these countries are described.

The report also includes the primary state obligations on the matter, and based on this, twelve guidelines are developed to formulate public policies focused on protecting the human rights of internally displaced persons.

**Impact on the States Parties to the OAS**

The impact analysis of the thematic report focused on El Salvador, Guatemala, and Honduras, given the thematic report's geographic focus. As explained below, the level of impact in these countries has been minimal since, to date, a comprehensive policy that conforms to the guidelines given by the IACHR has not been implemented, and there are no legal mechanisms to protect the rights of internally displaced persons.

In the case of El Salvador, on January 9, 2020, the Legislative Assembly approved the Special Law for the Prevention and Comprehensive Protection of Persons in a Condition of Forced Internal Displacement<sup>76</sup>. Although the UNHCR welcomed the approval of this standard, some discrepancies with the thematic report have been identified. In this regard, it was found that months before, the lack of spaces for consultation and discussion of the bill with key actors, such as victims and survivors of violence in situations of forced internal displacement, had been questioned<sup>77</sup>. If so, the latter would be contrary to one of the guidelines of the thematic report that guarantees social participation in these processes.

<sup>76</sup> Asamblea Legislativa de la República de El Salvador. Decreto 539. Ley Especial para la Prevención y Protección Integral de Personas en Condición de Desplazamiento Forzado Interno.

<sup>77</sup> Mesa de Sociedad Civil Contra el Desplazamiento Forzado a Causa de la Violencia en El Salvador. Informe Situacional del Incumplimiento en la Atención a las Víctimas de Desplazamiento Forzado por parte del Estado de El Salvador. Diciembre de 2019, p. 10. Disponible en: <http://tuteladh.org/sitioweb/wp-content/uploads/2019/12/Informe-de-la-Mesa-de-la-Sociedad-Civil-contra-el-Desplazamiento-Forzado.pdf>

In Honduras, the Inter-Institutional Commission for the Protection of Internally Displaced Persons due to Violence presented in March 2019 to the National Congress of the Republic the draft Law for the Prevention, Care, and Protection of Forcibly Displaced Persons<sup>78</sup>. However, to date, this proposal has not been approved, despite the statements issued by international bodies, such as the IACHR and the UN Special Rapporteur on the human rights of internally displaced persons<sup>79</sup>. In September 2021, the government reported that, with the support of UNHCR, a pilot project for humanitarian assistance had been carried out to respond to cases of internally displaced persons due to violence<sup>80</sup>. However, it was not communicated whether it was in line with the guidelines provided for in the thematic report.

Guatemala presents the most discouraging scenario in terms of the protection of displaced persons since, in its domestic system, there is no legal figure that defines the category of displaced person or a system that collects data on this population<sup>81</sup>. In March 2021, within the framework of a procedure before the UN, the Guatemalan Human Rights Ombudsman announced that between 2017 and 2018, 110 cases of people who were forcibly displaced internally, of which 72% were women, and 605 families were victims of forced evictions in the same period<sup>82</sup>.

The sub-regional focus of the thematic report resulted in the attention of media, NGOs, academics, and others, mainly in Central America with smaller audiences due to the comparably low population sizes of those countries. This fact is reflected in the lower reach of sources quoting the thematic report, as shown in Figure 30.

#### Dissemination in the IACHR networks

Media	Quantitative results	Comments
Press release		3 in Spanish, Portuguese, and English on International Women's Day but not linked to any event
Facebook	600,000	Number of IACHR followers
Facebook	63	Shares
Twitter	19	Retweets
YouTube Channel	No data	No data

<sup>78</sup> Oficina de Naciones Unidas para la Coordinación de Asuntos Humanitarios (OCHA). Panorama de las necesidades humanitarias: El Salvador, Guatemala y Honduras. Ciclo de Programa Humanitario 2020. Marzo de 2020, p. 11. Disponible en: [https://reliefweb.int/sites/reliefweb.int/files/resources/HNO\\_CENTROAMERICA\\_marzo%202020-2.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/HNO_CENTROAMERICA_marzo%202020-2.pdf)

<sup>79</sup> CIDH. Honduras: Expertos de la ONU y la CIDH instan a la inmediata adopción de una ley de protección para las personas desplazadas internamente. Comunicado de prensa No. 014/21. 27 de enero de 2021; Consejo de Derechos Humanos de Naciones Unidas. Honduras: Expertos de la ONU y la CIDH instan a la inmediata adopción de una ley de protección para las personas desplazadas internamente. Disponible en: <https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26694&LangID=S>

<sup>80</sup> Gobierno de la República de Honduras. "Estado de Honduras fortalece la respuesta en materia de protección y asistencia humanitaria para personas desplazadas". 16 de setiembre de 2021. Disponible en: <https://www.sedh.gob.hn/noticias3/1091-estado-de-honduras-fortalece-la-respuesta-en-materia-de-proteccion-y-asistencia-humanitaria-para-personas-desplazadas>

<sup>81</sup> Oficina de Naciones Unidas para la Coordinación de Asuntos Humanitarios (OCHA). Panorama de las necesidades humanitarias: El Salvador, Guatemala y Honduras. Ciclo de Programa Humanitario 2020, *supra*, p. 37.

<sup>82</sup> Procurador de los Derechos Humanos. Contribución del Procurador de los Derechos de Guatemala sobre "el nexo entre los desplazamientos forzados y las formas contemporáneas de esclavitud" en ocasión del 48º período de sesiones del Consejo de Derechos Humanos de las Naciones Unidas. Guatemala, marzo de 2021, pp. 2-3. Disponible en: [https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/States/Guatemala-es\\_I.pdf](https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/States/Guatemala-es_I.pdf)



## Citations

Media	Quantitative results	Comments
12 press outlets	See Figure 27	Three press outlets from Honduras
2 Web pages of national entities	See Figure 27	
7 NGO and civil society web pages	See Figure 27	

Sources: Evaluation Internet search and analysis

### 4.8.1.4 Report "Due process in the procedures for the determination of the status of refugee and stateless person, and the granting of complementary protection"

#### Summary

The thematic report sets out the international standards related to implementing national systems for recognizing and protecting refugees and stateless persons from an intersectional approach to human mobility. The novelty of the report consists mainly in the meticulous development of Resolution No. 04/19 of the IACHR on the "Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons, and Victims of Stateless Persons and Victims of Human Trafficking," indicating more concrete measures for its fulfillment. Likewise, the report indicates the minimum procedural guarantees that must be ensured in these procedures and those specific guarantees that must be respected in the case of stateless persons.

#### Impact on the States Parties to the OAS

The thematic report has had a minimal impact in the region, mainly due to the context of the COVID-19 pandemic, which has served as a pretext for different countries to keep their borders closed and promote the continuation of migration policies that violate the rights of migrants, especially the right to request asylum.

Besides, although this report applies to all OAS Member States, it has been identified that the state that should have the most significant interest in the issue, due to the number of migrants and asylum seekers it receives, the United States, does not take it into account and that their national courts endorse contrary positions even with a new government.

Since 1970, the United States has been the primary destination country for international migrants<sup>83</sup>, including the Latin American and Caribbean regions<sup>84</sup>. Despite this context, under the former administration, different programs were launched that restricted access to asylum in that country, among which the expulsions of "Title 42" and the "Stay in Mexico" program stand out that to date remain in force. The "Title 42" of the United States Code contains public health provisions, which served as support for, in March 2020, the Centers for Disease Control and Prevention issued an order limiting entry into the country for public health reasons. This allowed the Department of Homeland Security to impose restrictions on the border prohibiting non-essential travel, and that in practice, it has included asylum seekers since their crossing has not been considered an essential trip<sup>85</sup>.

<sup>83</sup> Organización Internacional para las Migraciones (OIM). *Informe sobre las Migraciones en el Mundo 2020*. Ginebra: OIM, 2019, p. 27. Disponible en: <https://publications.iom.int/books/informe-sobre-las-migraciones-en-el-mundo-2020>

<sup>84</sup> Página web de (In)movilidad en las Américas. Estados Unidos.

<sup>85</sup> Center for Gender & Refugee Studies. Hoja explicativa: la pandemia COVID-19 y expulsiones bajo el "Título 42". Disponible en: [https://cgrs.uchastings.edu/sites/default/files/Spanish\\_Border%20Closure%20One%20Pager\\_12.29.2020\\_FINAL.pdf](https://cgrs.uchastings.edu/sites/default/files/Spanish_Border%20Closure%20One%20Pager_12.29.2020_FINAL.pdf)

With the support of the Mexican government, the “Title 42” policy has carried out several expulsions, by air and land, from the United States to the border between Mexico and Guatemala, in violation of the guarantees of due process and without providing them with the possibility of obtaining asylum in one of these countries<sup>86</sup>. This policy has recently been endorsed by a federal appeals court in the United States, which granted temporary authorization to the current administration to continue with expulsions under the health provision mentioned above<sup>87</sup>.

For its part, the document “Migrants Protection Protocols” (MPP for its acronym in English), also known as “Stay in Mexico,” is intended for asylum seekers to remain in Mexico while they await their hearing dates at the United States immigration courts<sup>88</sup>. The current government tried to reverse this policy, but in August 2021, the Supreme Court of the United States rejected the request of the president to suspend this program<sup>89</sup>, with which the internal judicial bodies once again endorsed the immigration policy in force in that country.

However, the scenario seems to be different in the case of Latin American states, where a potential impact of the thematic report is emerging. For example, in Ecuador, a recent ruling issued by its Constitutional Court in a case on unaccompanied migrant children and adolescents (NNA)<sup>90</sup> included one of the standards outlined in this thematic report. The case dealt with three brothers, two of whom were under the age of 10 and 16, prevented from entering Ecuadorian territory regularly, who wanted to be reunited with their mother. The ruling developed a series of parameters for the protection of unaccompanied migrant children and adolescents and held, based on the thematic report, that “decisions on international protection cannot be delegated to non-specialized police or administrative officials.”<sup>91</sup>

The IACHR strongly disseminated the thematic report, leading to about 7.000 views of the related video and quoting the report in more media outlets than other thematic reports analyzed in this evaluation. Combined with the broad reach of those sources quoting the report, the overall number of persons reached with this report amounted to up to 5 million.

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<sup>86</sup> CEJIL. Carta pública: Organizaciones llamamos al gobierno mexicano a no participar en acciones como Título 42. Ciudad de México, 13 de agosto de 2021. Disponible en: <https://cejilmovilidadenmesoamerica.org/comunicado/carta-publica-organizaciones-llamamos-al-gobierno-mexicano-a-no-participar-en-acciones-como-titulo-42/>; CEJIL. Denunciamos expulsiones vía aérea y terrestre de personas migrantes hacia Guatemala, por parte de los gobiernos de EEUU y México, incluyendo solicitantes de protección internacional. San José, 27 de agosto de 2021. Disponible en:

<https://cejilmovilidadenmesoamerica.org/comunicado/denunciamos-expulsiones-via-aerea-y-terrestre-de-personas-migrantes-hacia-guatemala-por-parte-de-los-gobiernos-de-eeuu-y-mexico-incluyendo-solicitantes-de-proteccion-internacional/>

<sup>87</sup> Agencia EFE. “La justicia de EE.UU. autoriza a Biden a seguir con las expulsiones bajo el Título 42”. 1 de octubre de 2021.

Disponible en: <https://www.efe.com/efe/america/sociedad/la-justicia-de-ee-uu-autoriza-a-biden-seguir-con-las-expulsiones-bajo-el-titulo-42/2000013-4642330>

<sup>88</sup> Center for Gender & Refugee Studies. Innovation Law Lab vs. Wolf. Disponible en: <https://cgrs.uchastings.edu/our-work/innovation-law-lab-vs-wolf>

<sup>89</sup> Voz de América. Supremo de EE. UU. rechaza la suspensión del programa “Permanecer en México”. 24 de agosto de 2021.

Disponible en: [https://www.vozdeamerica.com/a/inmigracion\\_eeuu-tribunal-supremo-programa-permanecer-en-mexico/6076184.html](https://www.vozdeamerica.com/a/inmigracion_eeuu-tribunal-supremo-programa-permanecer-en-mexico/6076184.html)

<sup>90</sup> Corte Constitucional del Ecuador. Sentencia No. 2120-19-JP/21. Quito, D.M., 22 de septiembre de 2021.

<sup>91</sup> Ibid., párr. 136; CIDH. Debido proceso en los procedimientos para la determinación de la condición de persona refugiada y apátrida, y el otorgamiento de protección complementaria. OEA/Ser.L/V/II. Doc.255/20. 5 agosto 2020, párr. 226.

**Dissemination in the IACHR networks**

Media	Quantitative results	Comments
Press release		Four press releases
Video	7000	
Facebook	600,000	Number of IACHR followers
Twitter	57	Retweets
YouTube Channel	No data	No data

**Citations**

Media	Quantitative results	Comments
Nine press outlets	See Figure 27	Chile and Mexico mainly
12 Web pages of national entities	See Figure 27	Three from Argentina, Costa Rica, and Peru; includes one academic article and one thesis Reference by the Peruvian Ombudsman's Office
4 NGO and civil society web pages	See Figure 27	

Sources: Evaluation Internet search and analysis

The IACHR has made efforts to incentivize the use of its reports, especially from its social media networks, which are essential to reach the public in the virtual context in which we find ourselves. However, it should be noted that the number of publications on social networks will not generate an impact if the effort is not sustained over time. These two topics, migration and women and girls, are highly relevant in the region's countries and have been addressed by the reports with the most recent standards on the matter.

Along these lines, the IACHR has difficulties disseminating thematic reports, leading to their low reception in some cases. Although the results of the number of citations indicator show that the reports have been well received on academic websites, NGOs, and civil society, they cannot be considered to be a priority source for users when compared to other mechanisms of the Inter-American System, such as the judgments issued by the Inter-American Court. However, some OAS member states, mainly Latin American states, have incorporated the contents of those thematic reports into their public policies, legislative measures, and judicial pronouncements, which is encouraging.

**4.9 Unplanned results**

This evaluation confirms the unplanned results of the IACHR Strategic Plan 2017 – 2021 identified in the external evaluation of the U.S.-funded IACHR program (2021):

“One of the unplanned program results is the Commission’s increasing ability to focus on real-time human rights challenges in the Americas. This development is rooted in increased donor funding, growing human resources, and a reduction of backlog in cases. Rather than being bogged down on human rights cases that often concerned previous administrations, the Commission increasingly addresses cases of current administrations. The latter change causes discomfort among many administrations, resulting in interferences of five States with the Commission in 2019, joining destabilizing efforts from the States that do not recognize the

Commission. As such, the evaluation finds that the IACHR is increasingly a victim of its own success<sup>92</sup>.

Besides, the action of the IACHR in the light of the COVID-19 pandemic was important and an unplanned positive result. Important Resolutions such as 1/20 and 4/20 and later 4/21 were produced that gave timely guidelines to the States that allowed them to adopt public policy decisions in favor of the most vulnerable groups, including women and migrants. Actions were reported from at least your Member States: Argentina, Bolivia, Brazil, and Costa Rica.

Based on the evidence provided in subsections 4.1 to 4.9, the evaluation finds that the IACHR performed well concerning the three main evaluation questions related to the effectiveness in implementing its Strategic Plan 2017-2021.

- How has the IACHR performed during the Strategic Plan period in relation to the strategic intent/orientation expressed in the objectives of the Strategic Plan? (sub-sections 4.1, 4.2, 4.4, 4.8 and 4.9)
- How effective has the IACHR's work been in contributing to the expected results defined in its three fundamental pillars? (sub-sections 4.3 and 4.8)
- Has the Strategic Plan been effective in strengthening the IACHR's management in the observance, promotion, defense, and protection of human rights in the Americas? (sub-section 4.5, 4.6, 4.7)

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<sup>92</sup> Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 42.

## 5. Sustainability: are results lasting?

This section assesses the extent to which the results of the IACHR Strategic Plan 2017 – 2021 are likely to last. Sub-criteria used are i) sustainability of results; ii) strengths of IACHR Management; and iii) modernization of IACHR management.

Interviews and the online survey are the principal data sources for this section.

### Key findings: The evaluation finds the sustainability of IACHR results is high

- The median for the overall sustainability of results reaches 69% based on stakeholder perceptions.
- The strengthening of the petition and case system, friendly settlements, and precautionary measures (74%) reaches the highest likelihood of lasting results.
- The lowest likelihood of sustainability appears for human, financial and technical resources (57%) due to i) the perception on growing dependency of donor funding to bridge the gap of regular budget funding (which is, however, contradicted by evidence from financial data); ii) demand on human resources capacities at short notice in the cases of SACROIs and iii) staff turnover due to short-term consultancy contracts.
- The strength of the IACHR management is high based on strong leadership (66%) and the robustness of the Commission's institutional set-up (70%).
- Modernization of IACHR management is based on the introduction of results-based management, a highly professional team, and strong leadership of the Commission.



The evaluation finds that the sustainability of the results achieved under the Strategic Plan 2017-2021 is high. The score for sustainability is "amber-green" (71% out of 100%)<sup>93</sup>, with main limitations emerging for the sustainability of human resource management.

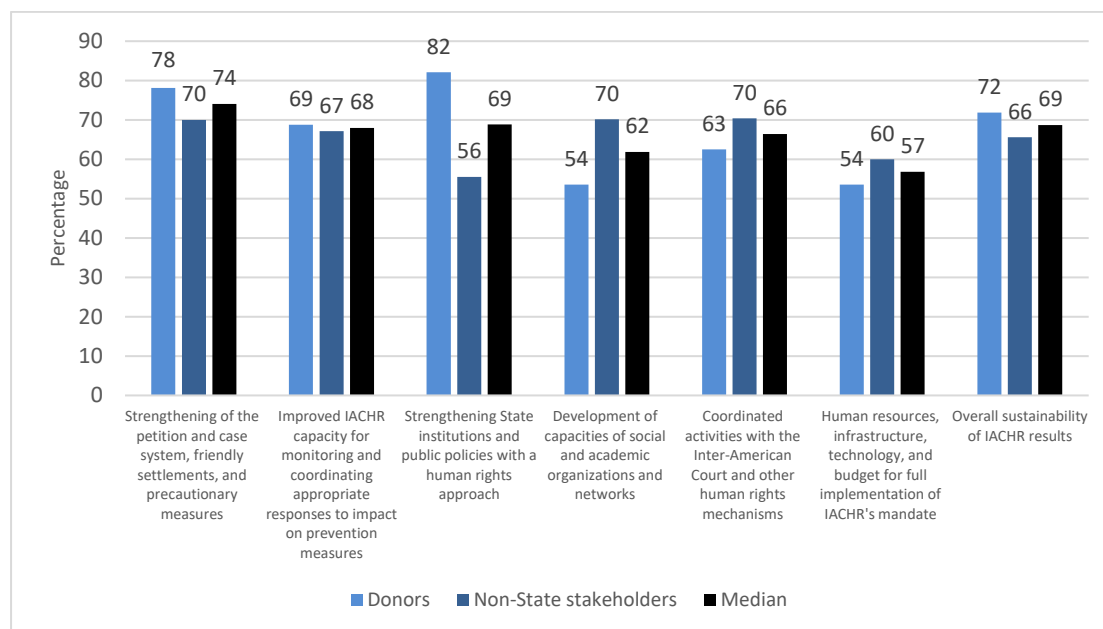
### 5.1 Sustainability of results

The evaluation enquired in interviews and surveys about the likely sustainability of the Strategic Plan 2017-2021 results. Those evaluation findings collected at the very end of the current strategic planning period indicate a *likelihood of sustainability*. A fully-fledged sustainability assessment could only be conducted, ex-post, several years after implementing the Strategic Plan 2017-2021.

Figure 31 presents the likely sustainability of strategic plan 2017-2021 results based on criteria listed in the evaluation ToR. The median for the overall sustainability of results reaches 69%. Ratings from donors and non-State actors reflected in the graphic are mainly similar, and this section only addresses cases of significant divergence.

<sup>93</sup> Ratings by sub/criteria are as follows on the 0 to 3 scale: 6.1 = 3,2,2,2,2,2. 6.2 = 2; 6.3 = 2 Total: 17 out of 24 (70,8%).

**Figure 31: Likely sustainability of Strategic Plan 2017-2021 results**



Sources: evaluation interviews and surveys, n=84

### Petition and case system



An average of 74% of stakeholders from donors and non-State actors perceive that strengthening the petition and case system, friendly settlements, and precautionary measures is likely to last, resulting in a more effective and accessible inter-American justice.

The IACHR took a new and potentially more sustainable approach for precautionary measures concerning strengthening the case system. In the case of Nicaragua, the Commission now deals with the increasing demand for up to 1200 precautionary measures, a 40% increase from the 2018 baseline. If the government does not comply with the precautionary measures, the Commission presents the main issues before the Inter-American Court to force cooperation. At the same time, the Commission continues to engage with the State to maintain the dialogue and ask for information, even in periods where the government would not respond. Through meetings with victims and their representatives, the Commission takes indirect action to assess the State's response and shows that monitoring activities continue in its dialogue with the State.

At the same time, the evaluation finds that many of the structural measures resulting in systemic change, as mentioned in section 4 above have a high likelihood of sustainability. The IACHR's report on precautionary measures (2021)<sup>94</sup> refers to State programs or protection mechanisms in seven Member States, in compliance with the issued recommendations in precautionary measures<sup>95</sup>.

<sup>94</sup> IACHR, 2021: PROJECT: Combating discrimination and violence against women and girls in Latin America and the Caribbean. REPORT ON THE FOLLOW UP OF PRECAUTIONARY MEASURES GRANTED TO PROTECT WOMEN AND GIRLS.

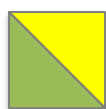
<sup>95</sup> These internal mechanisms would include the Witness and Claimants Protection Program in Bolivia, National Protection Program for Human Rights Defenders in Brazil, National Protection Unit in Colombia, Victim and Witness Protection Program in El Salvador, Division for the Protection of Persons and Security in Guatemala, National Protection Mechanism and Witness Protection Program in Honduras, and the Mechanism for the Protection of Human Rights Defenders and Journalists in Mexico.

### Internal monitoring and coordination capacity



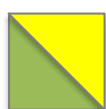
Sustainability ratings for the likelihood of improved internal capacity to monitor and coordinate appropriate responses to impact on prevention measures and factors leading to human rights violations reach an average of 68% (median). The latter is related to the cooperation of States and their responsiveness to the IACHR in a context of a general degradation of the human rights situation in the Americas. Some interviewees pointed out how damaging the deprioritization of human rights and multilateralism of large democracies in the Western Hemisphere is, as it has a knock-on effect on the attitudes of governments' in smaller States. Even temporarily, losing those role models and advocates negatively affects the human rights agenda and States' compliance for years to come.

### Strengthening State institutions and public policies



A significant divergence shows for the perceptions about the likely sustainability of strengthening State institutions and public policies with a human rights approach. While donors provided sustainability ratings of 82%, linked to the positive results of most donor-funded projects on this topic, non-State stakeholders' ratings dropped to 56%. The latter is due to the systematic weakening of many State institutions in a growing number of countries, as reported in the external evaluation of the U.S.-funded program of the IACHR<sup>96</sup>. The same evaluation also stressed the perception of a weak political buy-in to the IACHR and its human rights agenda across the Americas.

### Development of capacities of social and academic actors



Stakeholders diverge again for the likely sustainability of the capacity development of social and academic organizations and networks. Donors are more critical, providing 54% of sustainability ratings, compared to 70% of non-State stakeholders who are often at the receiving end of the Commissions capacity building efforts, mainly under P9 of the Strategic Plan<sup>97</sup>.

Apart from "traditional" capacity building through presential or virtual courses, the evaluation notes the added value of using fellows in the Commission, as previously mentioned in this report. Fellows from Universities benefit from working for up to one year in the Commission and bring their skills set to the IACHR.

### Coordination



The median for coordination activities with the Inter-American Court and other human rights bodies reached 66%. Examples include the engagement of the Court in the case of precautionary measures, as explained above under the petition and case system.

The evaluation of the U.S.-funded IACHR program (2021) identified multilateral cooperation in thematic areas such as migration. "In the case of Colombia, the cooperation with OHCHR shows in the Committee for Migration. In Peru, the commission complements migration-related work of the International Organization for Migration (IOM) and the United Nations High Commission for Refugees (UNHCR). In the Caribbean, stakeholders witnessed cooperation with the Rapporteurs on migrants of IACHR and OHCHR"<sup>98</sup>. Interviewees stressed the importance of joint press releases of the IACHR and OHCHR to leverage

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<sup>96</sup> External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 46

<sup>97</sup> P9: "Expand Program for Training and Promotion of thoughts and culture on human rights."

<sup>98</sup> External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 44

In one of the most recent press releases at the time of producing this report, both organizations addressed the elections in Nicaragua in press release number 292/21 “Four Days Ahead of Nicaraguan Election, IACHR and OHCHR Denounce Lack of Guarantees for Rights and Liberties in the Country.”

### Human, financial and technical resources



The likely sustainability of human, financial, and technical resources shows the lowest ratings, with a median of 57%. Only 54% of donors stated that those resources were given to ensure the full implementation of the Strategic Plan till the end of 2021, followed by 60% of non-State stakeholders.

“When it comes to its financial sustainability, the IACHR is as strong as the OAS and its Member States wants to be. Donors are compensating the funding gaps, but the IACHR should not be looking for money”.

Source: IACHR donor

However, the evaluation finds a discrepancy between stakeholder perceptions and the IACHR’s financial data.

Concerning the IACHR’s budget, the Commission benefited from significant increases during the Strategic Plan 2017-2021. The IACHR’s annual report 2020 states that “the increase in the budget for 2020 marks the culmination of the final phase of the doubling of the regular budget allocated following the Cancún Agreement of 2017.”<sup>99</sup>

A diversification and an increase in donor funding accompanied this process. The United States Department of State, the Commission’s largest donor, for example, funded the IACHR program with US\$ 4,388,888.95 in 2018, and continued granting similar amount in 2019 and 2020 . The total amount of the program for three years is US\$ 14,263,887.8 in 2020.

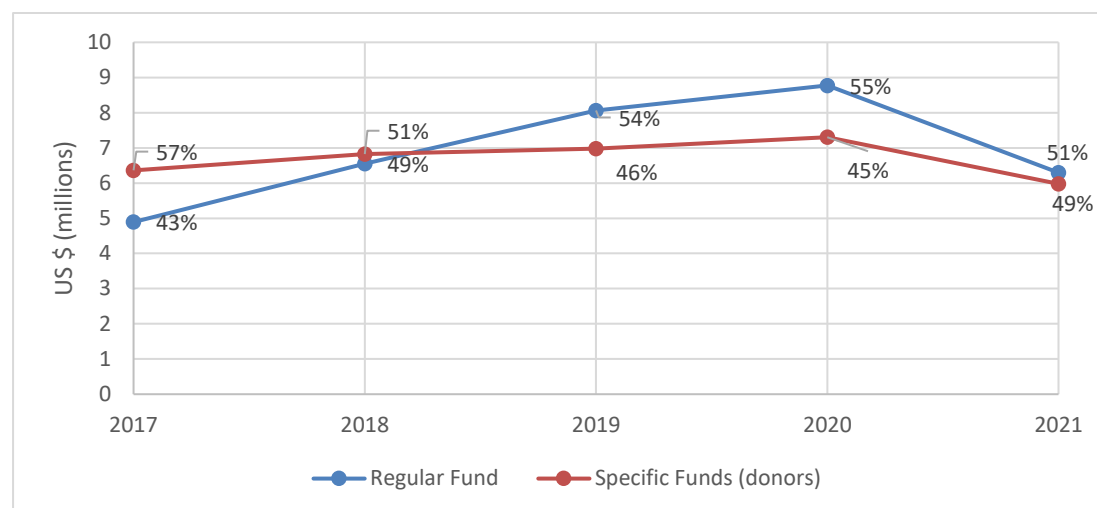
The analysis of the ICHR’s budget showed that out of the total budget of US\$ 68.015.280 for the Strategic Plan 2017-2021, the regular fund covered 51% of those costs, with special funds from donor funds covering 49% of the costs<sup>100</sup>. The evaluation finds that the dependency from donor findings decreased from 57% of the total budget in 2017 to 45% in 2020, with the total reaching 49% for the 2017-20221 period<sup>101</sup>. Figure 32 provides more details concerning the development of the IACHR budget.

<sup>99</sup>IACHR, 2020: IACHR’s annual report 2020

<sup>100</sup> US\$ 33,443,590,

<sup>101</sup> 2017 data: information extracted from OAS financial reports, information from IACHR Annual Reports 2018, 2019, 2020 and preliminary information as of September 30th, 2021



**Figure 32: Annual IACHR budget 2017 to 2021, with percentage of regular fund and specific funds contribution**

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Sources: IACHR

The evaluation reviewed the IACHR's Financial Sustainability Plan 2017-2021 and found positive results for all four results areas.

The IACHR's donor base is diversifying, allowing for predictability of funding particularly for multi-year projects and an overall high donor satisfaction of the IACHR's work, as verified in the donor interviews. As stated in earlier sections, the results-based management culture is now solidified in the Commission and communication with donors, including on results, appears seamless. Donors underscored in the evaluation interviews their satisfaction with the IACHR's timely and quality reporting. Finally, the Commission managed to start 2021 with 100% funding of its workplan over 12 months, well beyond the recommended minimum of six months.

The evaluation's analysis of the IACHR's Financial Sustainability Plan 2017-2021 and its 2016 baseline with comparable parameters listed in the 2020 IACHR Annual Report, showed also the following changes which affect the sustainability of the Commission positively:

- i) Number of donors among Member States: increase from four (Argentina, Canada, Chile, and United States of America) to nine (Brazil, Canada, Chile, Costa Rica, Dominican Republic, Mexico, Panama, Peru, and United States of America)
- ii) Number of donors among observers: increase from six (European Union, France, Netherlands, Spain, Sweden, and Switzerland) to seven (European Union, France, Ireland, Netherlands, Norway, Spain, and Switzerland)
- iii) Number of donors among institutions: increase from four to nine

On the human resource side, the substantial increase in consultancy contracts means that skills and knowledge are subject to relatively quick turnover, given the short-term nature of those contracts and their limited attractiveness to tie human talent under those contracts for more extended periods to the Commission.

Besides, the SACROI mechanism (Rapid and Integrated Response Coordination Unit) affects the planning and prioritization of human resources for the Strategic Plan implementation. When a SACROI gets activated, a reprioritization of the already-stretched human resource capacities takes place. The evaluation finds that as an alternative, a roster approach of

technical experts, as applied in the humanitarian aid sector, would not work for the Commission due to the political sensitivities involved in the work of SACROIs. The latter stresses the importance of early warning to make the current SACROI mechanism more sustainable concerning the requirements on human resources.

As previously stated, the Commission successfully embarked on the digitalization of many of its processes for infrastructure and technology. However, the ongoing use of private hardware is unsustainable, given the cyber security concerns which this evaluation revealed.

## 5.2 Strengths of IACHR management



Leadership and the institutional setup of the Commission influence the strengths of IACHR management. The recent evaluation of the U.S.-funded IACHR program (2021) found that 66% of stakeholders found that IACHR leadership was strong, and ratings for the robustness of the Commission's institutional set-up reached 70%<sup>102</sup>.

Those high ratings were affected by the non-renewal of the Commission's Executive Secretary in 2020, which "caused internal and external uncertainty, a sense of crisis, and reputational risk for the IACHR." After an eight-month transition period, a new Executive Secretary leads the Commission, returning stability and trust into the Commission. This regained strength is likely to positively affect the Commission's management in the observance, promotion, defense, and protection of human rights in the Americas.

## 5.3 Modernization of IACHR management



The evaluation of the U.S.-funded IACHR program (2021) underscored the importance of the Strategic Plan 2017-2021 for its modernization, including systemic change with a high likelihood of sustainability. "The IACHR benefits from its second strategic plan, which resulted in institutional strengthening. The introduction of results-based management, a highly professional team, and strong leadership of the Commission since 2015 gives the IACHR a clear vision with a solid drive to comply with the objectives of its strategic plan.

Since 2018, institutional strengthening also included the systematization of the Commission's work and the introduction of new processes and methodologies, which is widely acknowledged by sources close to the Commission"<sup>103</sup>.

Human resource issues affect the sustainability of the efficiency and effectiveness of institutional management, as also found in the evaluation of the U.S.-funded IACHR program (2021). "The evaluation also found instabilities of staffing in the IACHR due to many contracts on a consultancy basis. Particularly short-term annual funding of some donors affects stability for longer-term human resources and program planning. The strong increase in the U.S. multi-year funding of the IACHR program and the increase in the Regular Fund budget could have counter-balanced the personnel issues, yet consultants' numbers increased nearly fourfold compared to staff numbers"<sup>104</sup>.

The above human resource issues emerged again in interviews with internal stakeholders and reconfirmed the previous evaluation findings.

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102 OAS/Engelhardt, A., 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021." Page 45.

<sup>103</sup> Ibid, Page 46.

<sup>104</sup> Ibid, page 48.

## Section III: Conclusions and recommendations

Based on the key findings presented at the beginning of each chapter in section II, this section draws conclusions which are logically linked to the evaluation's recommendations. Figure 33 transparently shows the logical flow between the key findings, conclusions, and recommendations.

Figure 33: Summary of key evaluation findings, conclusions, and recommendations

	Key evaluation findings	Conclusions	Recommendations
Relevance	The Strategic Plan 2017-2021 provided the dorsal spine for the IACHR with its five strategic objectives and 21 programs. A stronger focus on prioritized topics showed in the Strategic Plan 2017-2021 compared to the previous one, with an alignment reaching 65% according to Non-State stakeholders and 63% according to Member States.	The Strategic Plan 2017-2021 with its closely aligned work was highly relevant for the IACHR to fulfill its vision and mission, contributing to its modernization as a trusted results-based, transparent, and accountable partner, despite the strong impact of COVID-19 on its planned work.	<p><b>R1: IACHR senior management:</b> Continue making balance reports on the implementation of the Strategic plan with a focus on results. Focus the dissemination of the IACHR’s work more on the effects, results, changes achieved in the protection and defense of rights than on the count of actions and products.</p> <p><b>Prioritization: high. Next 3-6 months</b></p>
	The Strategic Plan 2017-2021 clearly contributed to the modernization of the IACHR. Perceptions about the Plan’s contribution to the modernization of the IACHR reached 77% for the IACHR’s results focus, 74% for its transparency, and 77% for its accountability.		
	COVID-19 strongly influenced the implementation of the Strategic Plan, with unforeseen activities emerging.		
	The Commission’s focus on gender and diversity in its internal structures started to change, with still significant room for improvement for better representation of afrodescendents, people from the Caribbean, and French speakers.	As part of its modernization process and institutional development, there is still potential left to better include underrepresented groups in the Commission such as afrodescendents, people from the Caribbean, and French speakers	<p><b>R 2: IACHR Executive Secretary and General Secretariat SG/OAS:</b> Ensure that for upcoming recruitment processes, underrepresented groups such as afrodescendents, people from the Caribbean, and French speakers are particularly encouraged to apply. Gender and diversity should be systematically included in IACHR’s HR recruitment processes and specific time-bound quota could be agreed for this purpose enforce this recommendation.</p> <p><b>Prioritization: very high. Next 3 months</b></p>
The design of the Strategic Plan 2017-2021 was based on a human rights analysis, while limitations show for the use of a gender-based analysis. Reconstructing the Theory of Change showed additional assumptions which were not included in the Strategic Planning documentation	In hindsight, room for improvement showed to better anchor a gender-based analysis in the design of the Strategic Plan 2017-2021, as well as in the identification of assumptions .	<p><b>R 3: IACHR Executive Secretary:</b> Ensure that based on a common understanding of gender rights, diversity and vulnerable groups, a relevant analysis fully informs the development of the next Strategic Plan.</p> <p>For the next Strategic Plan’s Theory of Change, include the following assumptions:</p> <ul style="list-style-type: none"> <li>• The IACHR remains an efficient multilateral partner</li> <li>• The convening capacity of the IACHR remains high</li> <li>• The perception that the neutrality / impartiality of the IACHR remains high</li> </ul> <p><b>Prioritization: very high. Next 3 months</b></p>	
Efficiency	The implementation of the Strategic Plan 2017-2021 coincided with a restructuring of the IACHR Secretariat, and this restructuring responded positively to the priorities established	The restructuring of the Commission clearly contributed to the modernization of the IACHR combined with setting new standards creating, or streamlining processes. The opportunity emerges to ensure that responsibilities are clearly allocated for each of the strategic objectives under the new Strategic Plan.	<p><b>R4: IACHR Executive Secretary:</b> Ensure that for the new Strategic Plan, all strategic objectives benefit from a clearly designated person in charge and responsible for implementation and results delivery.</p> <p><b>Prioritization: very high. Next 3 months</b></p>
	Different staff perceptions about silo culture with at times insufficient communication between teams, and a need emerges for clear responsibilities for all strategic objectives and programs.		

<p>The evaluation finds room for improvement concerning the institutional development of the Commission, for example, how gender and diversity are treated in the Commission's internal structures.</p>	<p>As under the relevance criterion, room for improvement shows how gender and diversity are addressed in the Commission's internal structures.</p>	<p><b>See R 2</b></p>
<p>A need emerges for finding a better balance between staff and consultancy positions, which affects staff moral and ultimately institutional development.</p>	<p>The growing imbalance in the numbers of staff and consultancy positions is a potential threat for the IACHR's internal cohesion and sustainability for engaging its human talent.</p>	<p><b>R5: IACHR Executive Secretary and General Secretariat SG/OAS:</b> It is recommended that the Executive Secretariat of the IACHR makes the transition to a person-centered management of the workforce and a human rights approach. When establishing objectives and goals in the operational plans consider the normal work capacities of the staff considering a balance between work and personal life. The preparation process must include the perspective of the people who work at the IACHR and the goals must be defined considering efficiency but also the welfare or best interests of the workers.</p> <p><b>Prioritization: high. Next 3-6 months</b></p>
<p>Heavy weights of the OAS's rules and procedures affect the IACHR's agility, for example the timely procurement of goods and services, the allocation and expenditure of funds.</p>	<p>Particularly donors show understanding about the bureaucratic burden of OAS' rules and procedures on the IACHR. However, heavy bureaucracy undoubtedly affects the Commission's operational efficiency.</p>	<p><b>R6a: IACHR Board:</b> engage in a dialogue with Member States, including State donors from the Americas to promote the Commission's administrative independence from the OAS to accelerate the Commission's modernization also for its administration.</p> <p><b>R6b: The Member States</b> should support and request the administrative and financial independence of the IACHR, which should have its independent budget line (not combined with the other human rights bodies).</p> <p><b>R6c: Secretary General of the OAS:</b></p> <ul style="list-style-type: none"> <li>• Support and defense of the technical, administrative, and financial independence of the IACHR.</li> <li>• Decentralize or delegate on a more permanent basis the signing of contracts for IACHR personnel to its Executive Secretary.</li> <li>• Avoid interference in the allocation of resources and also in programmatic issues, as the IACHR is a specialized body independent of the GS / OAS.</li> <li>• Present the IACHR budget to the OAS General Assembly as presented by the IACHR.</li> </ul> <p><b>R6d: Executive Secretary of IACHR and Presidency of the IACHR:</b> Make permanent use of the power established in the statutes to present the budget program to the Secretary General and demand its respect in the instances of the Secretary General of the OAS (according to art. 18 of the statute of the IACHR in its literal h).</p> <p><b>Prioritization: high. Next 3-6 months</b></p>
<p>While the COVID-19 pandemic severely affected the implementation of the Strategic Plan and immediately caused</p>	<p>Compared to other international organizations, the IACHR swiftly mobilized successful mitigation measures to keep operating, and in fact accelerating its work in the</p>	<p><b>R7: IACHR senior management and General Secretariat SG/OAS:</b> Immediately stop the use of private hardware as one measure to ensure the Commission's cybersecurity.</p>

	many unplanned demands on the IACHR, it fast-tracked the digitalization of the Commission	pandemic context. However, the practice of personnel using private hardware raises questions about cyber security and the Commission’s vulnerability to cyber-attacks, given the sensitivity of the information.	Replace private hardware with IACHR equipment, including laptop computers, for example, for personnel working remotely. <b>Prioritization: very high. Next 3 months</b>
Effectiveness	For the 23 outcome level indicators, 20 have been fully achieved (5 indicators) or exceeded (15 indicators) across the strategic objectives. At the output level, 64 out of the 71 indicators were fully achieved, exceeded, or showed 75% and higher achievement. The median of the perceptions of Member States, Non-State stakeholders, donors, and internal personnel for high-level objectives are high and range from 60% to 65%.	The Commission was highly effective in implementing its Strategic Plan, including its Strategic Objective and related targets.	<b>R8: IACHR senior management:</b> Continue the practice of operationalization the new Strategic Plan using Annual Operation Plans for annual stock taking, results reporting and as required, adaptive management. The IACHR should continue preparing strategic plan balance reports that include monitoring the indicators. In this context, the Strategic Plan must have its own planning, monitoring and evaluation independent of the action plans of each Strategic Objective, which focuses on strategic directions rather than programs and products. The independence of the IACHR must be guaranteed in the definition of its programmatic indicators on strategic matters. <b>Prioritization: very high. Next 3 months</b>
	Capacity building under the Strategic Plan was very successful, with significant changes at the workplace for participants of IACHR training and an application rate of training reaching 85%.	While other international organizations’ capacity development efforts collapsed under the effects of COVID-19, the IACHR succeeded in achieving highest training application rates due to well-tailored virtual engagement.	<b>R9: IACHR senior management:</b> To maximize the reach of IACHR trainings, keep using virtual events to the extent possible, combined with presentational events where required. Virtual training events seem particularly useful for targeting duty bearers and rights holders in peripheral locations, outside capital cities or in small island locations of the Caribbean. <b>Prioritization: high. Next 3-6 months</b>
	The Commission enables systematic change through its work, beyond addressing the violation of human rights at the personal level. The evaluation found in a random analysis benefit of systemic change for up to 13.95m people	Beyond the safety and well-being of individuals, the IACHR’s case and petition systems multiplies its impact because of structural measures which Member States take. This impact is currently often underreported.	<b>R10: IACHR Executive Secretary:</b> Continue the implementation of the Impact Observatory and assign a responsible Commissioner. As a complementary measure, invest in a systematic documentation and quantification of the impact of Member State’s structural measures to avoid underreporting on the Commission’s impact. Include a specific section in the Annual report for this purpose titled “Impact of structural measures”. To facilitate the reporting of results in terms of the number of beneficiaries, the IACHR systems allow the registration of the number of victims in petitions, cases, and precautionary measures and the disaggregation of data by gender, ethnicity, race, age, or other condition such as poverty, geographic area (rural, urban). The reported results should also be measured in relation to the number of victims and beneficiaries to later facilitate the measurement of impact. <b>Prioritization: high. Next 3-6 months</b>
	Assessing the impact of four thematic reports related to the rights of women and people in situations of human mobility shows promising results.	The IACHR has made efforts to encourage the reading of its reports, especially from its social networks, which are essential to reach the public in the virtual context in which we find ourselves. However, it should be noted that the	<b>R11a: IACHR Executive Secretary/IACHR senior management:</b> Efforts are required to enhance the dissemination of thematic reports: a) <b>Develop a common policy for the dissemination of thematic reports</b> , which includes the communication strategy, launch events, the frequency of dissemination, the number of publications and videos, and the social networks

		<p>number of publications on social networks will not generate an impact if the effort is not sustained over time.</p>	<p>to be used. The policy should determine the dissemination of the reports should be undertaken regardless of whether the report is financed with a specific fund or project.</p> <ul style="list-style-type: none"> <li>b) Translate thematic reports and press releases announcing their publication in at least one second language other than Spanish, to reach a wider audience.</li> <li>c) Optimize web content and microsities to increase search engine ranking and invest in digital marketing</li> <li>d) Update the microsities of the thematic reports, publishing statistics or any other relevant information that makes the impact of the reports visible in the region.</li> <li>e) Repower IACHR’s social networks, especially the YouTube channel, so that short and educational videos are published about the content of the reports.</li> <li>f) Use thematic reports in combination with other mechanisms of the IACHR, such as merits reports, friendly settlement agreements, country reports, and precautionary measures.</li> <li><b>g) Maintain a systematic and public record of the policies or regulations of the States that are based on the reports.</b></li> <li>h) Identify the NGOs and civil society that are dedicated to the protection of the rights of women and migrants in the region, and jointly organize seminars and workshops for the dissemination of thematic reports.</li> <li>i) Carry out events, dialogues and conversations with the representatives at the national level of the States for the dissemination of the Thematic Reports.</li> <li><b>j) Make practical guides that summarize the recommendations and standards for the States with guidelines and examples</b></li> <li><b>k) Disseminate in the States the good practices or the actions that other States have applied to guarantee or facilitate compliance with International Obligations</b></li> </ul> <p><b>IACHR Commissioners are responsible for g); j) and K) to provide direction, revise reports and follow up</b></p> <p><b>R11b: Member States:</b></p> <ul style="list-style-type: none"> <li>• Encourage the application of thematic reports in the activity of all state institutions, beyond internal agencies or bodies dedicated to the promotion and protection of human rights.</li> <li>• Generate cooperation ties with the IACHR, NGOs, and civil society so that dissemination campaigns for thematic reports are implemented in the national territory.</li> </ul> <p><b>Prioritization: high. Next 3-6 months</b></p>
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	<p>The evaluation finds timely engagement of the Commission to crisis, for example in the case of Colombia (2021)</p> <p>One of the unplanned results is the Commission’s increasing ability to focus on real-time human rights challenges in the Americas due to increased funding, growing human resources, and a reduction of backlog in cases.</p>	<p>The implementation of the 2017-2021 Strategic Plan made significant progress in reducing the procedural backlog in the petition and case system, even surpassing it at the initial study stage. This allows for greater real-time participation, which has raised even more expectations among human rights defenders, victims of human rights abuses and their representatives. At the same time, many governments with authoritarian tendencies are increasingly uncomfortable with the Commission's real-time monitoring function.</p>	<p><b>R 12: IACHR senior management:</b> In the context of increasing demand on the IACHR amidst a worsening human rights situation across the Americas, it is recommended to use the Commission’s growing budget, increased human resources, and enhanced standards and systems as catalyzing factors to do the following:</p> <ul style="list-style-type: none"> <li>• Consolidate institutional strengthening by better internal cooperation across all teams, for example, to produce thematic or country reports, building on the excellent cooperation in the cases of SACROI</li> <li>• Considering the use of independent expert groups for specific tasks to complement internal human resources</li> <li>• Prominently announce and practically engage in more dialogue with Member States, based on thematic strategies to jointly identify and strategically outline how to address human rights issues specific to those Member States</li> <li>• Increase data processing to enable early warning for better preparedness</li> </ul> <p><b>Prioritization: high. Next 3-6 months</b></p>
Sustainability	<p>The median for the overall sustainability of results reaches 69% based on stakeholder perceptions. The strengthening of the petition and case system, friendly settlements, and precautionary measures (74%) reaches the highest likelihood of lasting results. The lowest likelihood of sustainability appears for human, financial and technical resources (57%) due to i) the requirement of volatile donor funding to bridge the gap of regular budget funding; ii) demand on human resources capacities at short notice in the cases of SACROIs and iii) staff turnover due to short-term consultancy contracts.</p>	<p>Despite many challenges, the sustainability of the IACHR is high and its resilience elevated due to strong systems and procedures. Member States and donors have their role to play to commit to the future of the Commission, taking advantage of a new Executive Secretary coinciding with the development of the Commission’s third Strategic plan.</p>	<p><b>R13a: Member States:</b> The Member States should continue to strengthen and increase the budget of the IACHR and in particular promote a real increase in the staff financed by the regular fund.</p> <p><b>R13b: Donors:</b> Consider funding multi-year IACHR projects to enhance the predictability of IACHR budgets</p> <p><b>R 13c: Donors:</b> Consider the funding of core functions and staff as a longer-term commitment to the Commission</p> <p><b>R 13d: IACHR:</b> Lead and direct the modernization of the IACHR</p> <p><b>R 13e: IACHR Executive Secretary:</b> lead the preparation and implementation of next Strategic based of results-based management.</p> <p><b>R 13f: IACHR Executive Secretary /Senior Management:</b> implement programs aimed at the SE/IACHR modernization.</p> <p><b>Prioritization: high. Next 6 to 9 months</b></p>
	<p>The strength of the IACHR management is high based on strong leadership (66%) and the robustness of the Commission’s institutional set-up (70%).</p> <p>Modernization of IACHR management is based on the introduction of results-based management, a highly professional team, and strong leadership of the Commission.</p>	<p>The Strategic Plan 2017-2021 drives the IACHR and laid the foundations for its modernization. Combined with strong leadership and a robust institutional set-up, the Commission is well prepared to embark on its next Strategic Plan in an even more challenging human rights context than in 2017-2021.</p>	



## 6. Conclusions

This section groups the conclusions by evaluation criterion, responding to the main evaluation questions and sub questions.

### **Relevance:**

*Alignment:* The evaluation concludes that the Strategic Plan 2017-2021 with its closely aligned work was very highly relevant for the IACHR to fulfill its vision and mission. The Strategic Plan 2017-2021 contributed to the Commission's modernization as a trusted results-based, transparent, and accountable partner, despite the strong impact of COVID-19 on its planned work.

*Institutional development:* As part of its modernization process and institutional development, there is still room for improvement to better include underrepresented groups in the Commission such as afrodescendants, people from the Caribbean, and French speakers.

*Gender-based analysis:* In hindsight, the valuation concludes that room for improvement showed to better anchor a gender-based analysis in the design of the Strategic Plan 2017-2021.

### **Efficiency:**

*Modernization:* The restructuring of the Commission clearly contributed to the modernization of the IACHR combined with setting new standards, creating, or streamlining processes. The opportunity emerges to ensure that responsibilities are clearly allocated for each of the strategic objectives under the new Strategic Plan. Besides, as mentioned under the relevance criterion, room for improvement shows how gender and diversity are addressed in the Commission's internal structures.

*Human resources:* Concerning the Commission's human resources management, the growing imbalance in the numbers of staff and consultancy positions is a potential threat for the IACHR's internal cohesion and sustainability for engaging its human talent.

*Procurement of goods and services, the allocation and expenditure of funds:* Particularly donors show understanding about the bureaucratic burden of OAS' rules and procedures on the IACHR. However, heavy bureaucracy undoubtedly affects the Commission's operational efficiency.

*Mitigation of COVID-19:* Compared to other international organizations, the IACHR swiftly mobilized successful mitigation measures to keep operating, and in fact accelerating its work in the pandemic context. However, the practice of personnel using private hardware raises questions about cyber security and the Commission's vulnerability to cyber-attacks, given the sensitivity of the information.

### **Effectiveness**

*Results achievement:* The Commission was very highly effective in implementing its Strategic Plan, including its Strategic Objective and related targets.

*Capacity building:* While other international organizations' capacity development efforts collapsed under the effects of COVID-19, the IACHR succeeded in achieving highest training application rates due to well-tailored virtual engagement.

*Impact of structural measures:* Beyond the safety and well-being of individuals, the IACHR's case and petition systems multiplies its impact because of structural measures which Member States take. This impact is currently often underreported.

*Dissemination and use of thematic reports:* The IACHR has made efforts to encourage the reading of its reports, especially from its social networks, which are essential to reach the public in the virtual context in which we find ourselves. However, it should be noted that the number of publications on social networks will not generate an impact if the effort is not sustained over time.

*Overcoming procedural backlog:* The implementation of the 2017-2021 Strategic Plan made significant progress in reducing the procedural backlog in the petition and case system, even surpassing it at the initial study stage. This allows for greater real-time participation, which has raised even more expectations among human rights defenders, victims of human rights abuses and their representatives. At the same time, many governments with authoritarian tendencies are increasingly uncomfortable with the Commission's real-time monitoring function.

## **Sustainability**

*Commitment:* Despite many challenges, the sustainability of the IACHR's results is high and its resilience elevated due to strong systems and procedures. Member States and donors have their role to play to commit to the future of the Commission, taking advantage of a new Executive Secretary coinciding with the development of the Commission's third Strategic plan.

*Leadership:* The Strategic Plan 2017-2021 drives the IACHR and laid the foundations for its modernization. Combined with strong leadership and a robust institutional set-up, the Commission is well prepared to embark on its next Strategic Plan in an even more challenging human rights context than in 2017-2021.

## 7. Recommendations

Following the conclusions, this section presents the evaluation recommendations. Figure 33 underlines the logic between the key findings, conclusions, and recommendations.

### Relevance

**R1: IACHR senior management:** Continue making balance reports on the implementation of the Strategic plan with a focus on results. Focus the dissemination of the IACHR's work more on the effects, results, changes achieved in the protection and defense of rights than on the count of actions and products

**Prioritization: high. Next 3-6 months**

**R 2: IACHR Executive Secretary and General Secretariat SG/OAS:** Ensure that for upcoming recruitment processes, underrepresented groups such as afrodescendants, people from the Caribbean, and French speakers are particularly encouraged to apply. Gender and diversity should be systematically included in IACHR's HR recruitment processes and specific time-bound quota could be agreed for this purpose enforce this recommendation.

**Prioritization: very high. Next 3 months**

**R 3: IACHR Executive Secretary:** Ensure that based on a common understanding of gender rights, diversity and vulnerable groups, a relevant analysis fully informs the development of the next Strategic Plan.

For the next Strategic Plan's Theory of Change, include the following assumptions:

- The IACHR remains an efficient multilateral partner
- The convening capacity of the IACHR remains high
- The perception that the neutrality / impartiality of the IACHR remains high

**Prioritization: very high. Next 3 months**

### Efficiency

**R4: IACHR Executive Secretary:** Ensure that for the new Strategic Plan, all strategic objectives benefit from a clearly designated person in charge and responsible for implementation and results delivery.

**Prioritization: very high. Next 3 months**

**R5: IACHR Executive Secretary and General Secretariat SG/OAS:** It is recommended that the Executive Secretariat of the IACHR makes the transition to a person-centered management of the workforce and a human rights approach. When establishing objectives and goals in the operational plans consider the normal work capacities of the staff considering a balance between work and personal life. The preparation process must include the perspective of the people who work at the IACHR and the goals must be defined considering efficiency but also the welfare or best interests of the workers.

**Prioritization: high. Next 3-6 months**

**R6a: IACHR Board:** engage in a dialogue with Member States, including State donors from the Americas to promote the Commission's administrative independence from the OAS to accelerate the Commission's modernization also for its administration.

**R6b: The Member States** should support and request the administrative and financial independence of the IACHR, which should have its independent budget line (not combined with the other human rights bodies).

**R6c: Secretary General of the OAS:**

- Support and defense of the technical, administrative, and financial independence of the IACHR.
- Decentralize or delegate on a more permanent basis the signing of contracts for IACHR personnel to its Executive Secretary.
- Avoid interference in the allocation of resources and also in programmatic issues, as the IACHR is a specialized body independent of the GS / OAS.
- Present the IACHR budget to the OAS General Assembly as presented by the IACHR.

**R6d: Executive Secretary of IACHR and Presidency of the IACHR:** Make permanent use of the power established in the statutes to present the budget program to the Secretary General and demand its respect in the instances of the Secretary General of the OAS (according to art. 18 of the statute of the IACHR in its literal h).

**Prioritization: high. Next 3-6 months**

**R7: IACHR senior management and General Secretariat SG/OAS:** Immediately stop the use of private hardware as one measure to ensure the Commission's cybersecurity. Replace private hardware with IACHR equipment, including laptop computers, for example for personnel working remotely.

**Prioritization: very high. Next 3 months**

**Effectiveness:**

**R8: IACHR senior management:** Continue the practice of operationalization the new Strategic Plan using Annual Operation Plans for annual stock taking, results reporting and as required, adaptive management. The IACHR should continue preparing strategic plan balance reports that include monitoring the indicators. In this context, the Strategic Plan must have its own planning, monitoring and evaluation independent of the action plans of each Strategic Objective, which focuses on strategic directions rather than programs and products. The independence of the IACHR must be guaranteed in the definition of its programmatic indicators on strategic matters.

**Prioritization: very high. Next 3 months**

**R9: IACHR senior management:** To maximize the reach of IACHR trainings, keep using virtual events to the extent possible, combined with presential events where required. Virtual training events seem particularly useful for targeting duty bearers and rights holders in peripheric locations, outside capital cities or in small island locations of the Caribbean.

**Prioritization: high. Next 3-6 months**

**R10: IACHR Executive Secretary:** Continue the implementation of the Impact Observatory and assign a responsible Commissioner. As a complementary measure invest in a systematic documentation and quantification of the impact of Member State's structural measures to avoid underreporting on the Commission's impact. Include a specific section in the Annual report for this purpose titled "Impact of structural measures". To facilitate the reporting of results in terms of the number of beneficiaries, the IACHR systems allow the registration of the number of victims in petitions, cases, and precautionary measures and the disaggregation of data by gender, ethnicity, race, age, or other condition such as poverty, geographic area (rural, urban).

The reported results should also be measured in relation to the number of victims and beneficiaries to later facilitate the measurement of impact.

**Prioritization: high. Next 3-6 months**

**R11a: IACHR Executive Secretary/IACHR senior management:** Efforts are required to enhance the dissemination of thematic reports:

- a) Develop a common policy for the dissemination of thematic reports, which includes the communication strategy, launch events, the frequency of dissemination, the number of publications and videos, and the social networks to be used. The policy should determine the dissemination of the reports should be undertaken regardless of whether the report is financed with a specific fund or project.
- b) Translate thematic reports and press releases announcing their publication in at least one second language other than Spanish, to reach a wider audience.
- c) Optimize web content and microsites to increase search engine ranking and invest in digital marketing
- d) Update the microsites of the thematic reports, publishing statistics or any other relevant information that makes the impact of the reports visible in the region.
- e) Repower IACHR's social networks, especially the YouTube channel, so that short and educational videos are published about the content of the reports.
- f) Use thematic reports in combination with other mechanisms of the IACHR, such as merits reports, friendly settlement agreements, country reports, and precautionary measures.
- g) Maintain a systematic and public record of the policies or regulations of the States that are based on the reports.**
- h) Identify the NGOs and civil society that are dedicated to the protection of the rights of women and migrants in the region, and jointly organize seminars and workshops for the dissemination of thematic reports.
- i) Carry out events, dialogues and conversations with the representatives at the national level of the States for the dissemination of the Thematic Reports.
- j) Make practical guides that summarize the recommendations and standards for the States with guidelines and examples**
- k) Disseminate in the States the good practices or the actions that other States have applied to guarantee or facilitate compliance with International Obligations**

**IACHR Commissioners are responsible for g); j) and k) to provide direction, revise reports and follow up.**

**R11b: Member States:**

- Encourage the application of thematic reports in the activity of all state institutions, beyond internal agencies or bodies dedicated to the promotion and protection of human rights.
- Generate cooperation ties with the IACHR, NGOs, and civil society so that dissemination campaigns for thematic reports are implemented in the national territory.

**Prioritization: high. Next 3-6 months**

**R 12: IACHR senior management:** In the context of increasing demand on the IACHR amidst a worsening human rights situation across the Americas, it is recommended to use the Commission's growing budget, increased human resources, and enhanced standards and systems as catalyzing factors to do the following:

- Consolidate institutional strengthening by better internal cooperation across all teams, for example to produce thematic or country reports, building on the excellent cooperation in the cases of SACROI
- Considering the use of independent expert groups for specific tasks to complement internal human resources
- Prominently announce and practically engage in more dialogue with Member States, based on thematic strategies to jointly identify and strategically outline how to address human rights issues specific to those Member States
- Increase data processing to enable early warning for better preparedness
  - The IACHR must work more to assess the risks of possible human rights violations or timely detection of possible human rights crises.
  - The IACHR should have information management platforms and information analysis processes, particularly risks, that make it possible to anticipate and detect possible crisis situations.

**Prioritization: high. Next 3-6 months**

**Sustainability**

**R13a: Member States:** The Member States should continue to strengthen and increase the budget of the IACHR and in particular promote a real increase in the staff financed by the regular fund.

**R13b: Donors:** Consider funding multi-year IACHR projects to enhance the predictability of IACHR budgets

**R 13c: Donors:** Consider the funding of core functions and staff as a longer-term commitment to the Commission

**R 13d: IACHR:** Lead and direct the modernization of the IACHR

**R 13e: IACHR Executive Secretary:** lead the preparation and implementation of next Strategic based of results-based management.

**R 13f: IACHR Executive Secretary /Senior Management:** implement programs aimed at the SE/IACHR modernization.

**Prioritization: high. Next 6 to 9 months**

## Annex 1: Terms of Reference

**Objective:** The objectives of the consultancy are:

To conduct the evaluation of the results of the IACHR in the period covered by the plan in relation to the strategic intent expressed in the objectives of the Strategic Plan and its contribution to the ultimate goal of the Strategic Plan 2017- 2021, to the vision and mission of the IACHR.

Evaluate the use of the 2017-2021 Strategic Plan as a guiding tool for the organization's management.

Document lessons learned related to the formulation, implementation, and management of the strategic plan.

Issue recommendations for the formulation, design, and implementation of the new plan.

The evaluation process will be carried out taking into account the participation of all key stakeholders involved in the development of the Plan and will be conducted in an independent, impartial, objective, transparent and transparent manner and in accordance with the highest professional standards for the conduct of strategic plan evaluations.

### **Scope of the Evaluation:**

Specifically, the consultancy should answer, based on the information gathered in the evaluation process, among others, the following questions:

How has the IACHR performed during the Strategic Plan period in relation to the strategic intent/orientation expressed in the objectives of the Strategic Plan?

**In relation to effectiveness:**

How effective has the IACHR's work been in contributing to the expected results defined in the Strategic Plan particularly in relation to its three fundamental pillars?

Do victims of human rights violations, and in particular individuals and groups historically discriminated against, have more democratic, agile, and effective access to the Inter-American Human Rights System?

Has the IACHR responded in a timely, coordinated manner and with on-the-ground presence to situations of human rights violations, particularly with respect to the situation of persons, groups, and populations in situations of vulnerability?

Has the IACHR's work to strengthen the capacity of state and social actors contributed to the consolidation of the institutionality and public policies with a human rights approach of the States in accordance with inter-American norms and standards?

Has the improvement of the IACHR's follow-up mechanisms contributed to the compliance of its recommendations and decisions by the States for the greater protection and respect of the human rights of the most vulnerable individuals and groups?

**Regarding Efficiency:**

How much have the results of the IACHR in the Plan period depended on the procurement, distribution, and allocation of funds?

In terms of programmatic efficiency, to what extent has the IACHR prioritized its action on a set of essential and priority activities rather than on fragmented projects?

**On sustainability:**

o what extent are the results to which the IACHR has contributed sustainable during the implementation of the Strategic Plan

Were there any unforeseeable/not planned results or outcomes?

2) Has the Strategic Plan been effective in strengthening the IACHR's management in the observance, promotion, defense, and protection of human rights in the Americas?

Have the work carried out and the results achieved during the plan period been aligned with the objectives, priority issues and cross-cutting themes defined in the Strategic Plan?

Has the IACHR managed to modernize its institutional management with a focus on results, with efficient, effective, and measurable institutional development, financial sustainability, transparency, accountability, and policies for its staff with a focus on gender and diversity?

How did the COVID 19 pandemic affect the implementation of the Strategic Plan?

#### **Implementation and Evaluation:**

This consultancy will be coordinated and supervised by the Planning and Projects Section (SPP).

The evaluation process will adopt a participatory approach and will take into account the views of all stakeholders. In general, the evaluation will be based on interviews, document analysis, use of relevant evaluation tools (i.e. application of surveys, focus groups, etc.) and all available data sources as needed.

All conclusions and recommendations must be based on verifiable documents.

The Consultant shall conduct meetings and interviews, at least, with the following key-actors:

(i) Member States.

ii) Civil Society Organizations

iii) Beneficiaries of the IACHR

iv) IACHR Commissioners

v) IACHR technical teams

vi) Planning and Projects Section of the IACHR.

#### **A. Phase I: Preparatory Activities**

To achieve the objectives of the Terms of Reference, the consultancy shall carry out the following activities, without prejudice to other tasks that may be necessary to complete the work:

Conduct initial virtual conferences with key stakeholders, and further assess the scope of the work and solicit information necessary to conduct the work effectively.

Develop an Evaluation Framework (EF) from the first wave of interviews, which will include, but is not limited to, the following sections:

(a) A description of the methodology or design of the evaluation strategy, including information gathering methods and its evaluation. The methodology shall encompass a variety of techniques that will suffice to collect and analyze qualitative and quantitative data and shall incorporate gender and human rights perspectives.

(b) Data collection protocols and data analysis.

(c) Identification of data collection instruments.

(d) Identification and measurement of performance indicators (intermediate and final level) to measure the efficiency and effectiveness of the Strategic Plan.

(e) The updated work plan of the consultancy, including compilation, analysis, and report preparation

(f) A proposed table of contents for the final report.

#### **B. Phase II: Collection and analysis of information, and interim report.**

iii) Review all relevant documentation related to the implementation of the Strategic Plan.



- iv) Conduct interviews and collect information from other key stakeholders, such as government officials, members of civil society organizations, and direct and indirect beneficiaries, among others. In this process, consider and document the effects of the pandemic.
- v) Systematize and analyze the findings related to the efficiency according to the scope defined in numeral 3 above and the effectiveness of the Strategic Plan, considering the effects of the COVID 19 pandemic, identifying lessons learned and making recommendations for the next strategic plan.
- vi) Evaluate the management of the Strategic Plan in the use of planning and execution tools, such as annual operational plans, monitoring of the Plan's execution, and program follow-up reports, among others.
- vii) The consultancy will analyze the degree of achievement of the expected results, as well as the identification of any unforeseen results that may have occurred, considering the effects of the COVID 19 pandemic.
- viii) Prepare a preliminary report describing the progress of the evaluation and preliminary findings to date. The report shall be accompanied by a Power Point presentation.
- ix) Conduct a mission to OAS headquarters, if possible, to present the mid-term report to interested parties.

C. Phase III: Presentation of the final report.

- x) Prepare a final report on the findings and recommendations in the evaluation of the results obtained in the implementation of the strategic plan in light of the strategic intentions established in the plan's objectives; lessons learned, recommendations and conclusions. The final report shall be presented in a Power Point format

Conduct a mission to OAS headquarters, if possible, to present the final report.

**Sources of Information:**

Among other sources, the Consultant will review the following:

- 1) Strategic Plan 2017-2021
- 2) Program indicators identified and used throughout implementation.
- 3) Semi-annual and annual progress reports on the implementation of the 2017-2021 Strategic Plan.
- 4) Any other document considered relevant to the performance of the work.
- 5) Information collected directly from the interviews/surveys/focus groups conducted, according to the agreed methodology.

**Products and Deliverables:**

The Consultant will prepare and deliver the following documents taking into account each of the activities described in the previous section:

An updated detailed work plan and Evaluation Framework within 15 days of contract signature. This report must contain evidence of the execution of Phase I described above including (a) the protocol and instruments for conducting the evaluation; (b) a detailed schedule of contacts to be interviewed covering the key actors described in number IV; and (c) the table of contents of the report.

A mid-term progress report with preliminary findings of the evaluation that includes the products of Phase II: a) Report and systematization of key stakeholders interviewed (at least 70% of the interviews conducted and sources of information collected); b) Report of preliminary analysis of findings; b) analysis of the management of the Strategic Plan. The report will contain a PPT presentation (English/Spanish) to present the progress. This mid-term report will be submitted within 40 working days of the start of the Consultancy.

Final report of the external evaluation including all the above mentioned completed products, with findings and recommendations, an executive summary of the evaluation and a Power Point presentation (ENG - ESP) to be presented at the IACHR headquarters no later than November 15, 2021.

**Quality Management:**

This evaluation will be managed by the Coordination of the Planning and Projects Section of the IACHR, which is responsible for the implementation, management, supervision, quality control and dissemination of the evaluation results. During the process of the evaluation, the Coordination will have the following functions, among others:

Facilitate communication between the IACHR and the evaluators.

Provide the relevant documentation related to the projects and facilitate its delivery to the evaluation team.

Facilitating communications between the evaluators and IACHR officials.

Analyze and provide recommendations to the IACHR Executive Secretary and/or the IACHR Board of Directors for the approval of the Work Plan and Methodological Proposal, the mid-term, and final reports of the external evaluation.

Follow up on the fulfillment of the terms of reference and delivery to satisfaction of the products of the consultancy.

Disseminate the final evaluation report and follow up on the implementation of the recommendations.

The Coordination of the Planning and Projects Section of the IACHR and the Executive Secretary of the IACHR are the contact persons at the GS/OAS for evaluation management and communications with the evaluators.

**Working method:**

The modality of work is remote. The consultant will provide services from the country that establishes the field (1.b) of the place of execution of the work. Payments will be made in the official currency of that State if the consultant is a national of that State.

The consultant has complete control of his/her schedule and must have his/her own computer/laptop and good Internet connection.

The Executive Secretariat will provide the consultant with access to the necessary information and other materials to carry out the work requested.

**Payment Method:**

A total payment of USD \$49,900.00 will be made for this contract according to the following "benchmarks":

**Benchmarks:**

15% upon signature of the contract.

20% upon satisfactory delivery of the plan for Product 1 on September 15, 2021.

30% upon delivery of Product 2 on October 10, 2021.

35% upon delivery to satisfaction of Product 3 on December 15, 2021.

The total amount of the contract includes all expenses that may arise from the evaluation work: personnel costs of the Consultancy, travel expenses, translations, insurance, visa fees, taxes or any other direct or indirect cost of the consulting team.

The date of payment and the amount are subject to the presentation of deliverables and satisfactory validation of these by his/her coordinator.

The consultant agrees to provide a receipt or "invoice" for services rendered to proceed with the payment. The Processing of payments might take up to two weeks after the delivery of the products and its corresponding invoice.

**Confidentiality:** The consultant should maintain strict confidentiality regarding the documents and verbal and written information that she will have access to during the performance of the activities referred to above. Consequently, his/she cannot reveal information regarding the contents or stages of cases, information regarding the identity of the victims or their representatives, the text of the petitions, or information submitted by governments.

The commitment of confidentiality that each consultant assumes formally with the signing of their contract persists after the conclusion of the contract.

**Other Provisions :** The consulting person warrants that neither it, nor its parent entities or subsidiaries or affiliated entities (if any) engage in any practices inconsistent with international human rights laws and standards preventing child labor, sexual exploitation, and human trafficking.



## Annex 2: Documentation reviewed

Asamblea Legislativa de la República de El Salvador. Decreto 539. Ley Especial para la Prevención y Protección Integral de Personas en Condición de Desplazamiento Forzado Interno.

CIDH. Debido proceso en los procedimientos para la determinación de la condición de persona refugiada y apátrida, y el otorgamiento de protección complementaria. OEA/Ser.L/V/II. Doc.255/20. 5 agosto 2020.

CIDH. Mujeres Periodistas y Libertad de Expresión. CIDH/RELE/INF.20/18. 31 de octubre de 2018.

Comisión Estatal de Derechos Humanos de Nuevo León. Recomendación 3/2021. Nuevo León, 1 de junio de 2021.

Comisión Ejecutiva de Atención a Víctimas. *Protocolo de atención a población indígena con enfoque de género e intercultural*. 12 de febrero de 2019.

Comisión Nacional de los Derechos Humanos. Recomendación 26/2018. Ciudad de México, 26 de julio de 2018.

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Comisión de Justicia de Género del Poder Judicial y Programa de las Naciones Unidas para el Desarrollo. *Manual para el dictado de medidas de protección en el marco de la Ley 30364*. Lima: Programa de las Naciones Unidas para el Desarrollo, 2021.

Corte Constitucional de Colombia. Sentencia T-140/21. 14 de mayo de 2021.

Corte Constitucional del Ecuador. Sentencia No. 2120-19-JP/21. Quito, D.M., 22 de septiembre de 2021.

Defensoría del Pueblo. *Situación de los derechos de las mujeres indígenas en el Perú*. Informe de Adjuntía 002-2019-DP/AMASPPI/PPI. Lima: Defensoría del Pueblo, 2019.

Engelhardt, A./OAS, 2021: External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021."

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Foro Internacional de Mujeres Indígenas. *Estudio global sobre la situación de las mujeres y niñas indígenas*. Lima: Foro Internacional de Mujeres Indígenas, 2020.

Help Age International 7R4V, 2020: Rapid needs assessment of older people. La Guajira, Colombia.

IACHR, 2017: Las mujeres indígenas y sus derechos humanos en las Américas

IACHR, 2018: Impact of the Friendly Settlement. Updated Edition. OEA/Ser.L/V/II. Doc.31/18 Doc. 31, 1 March 2018.

IACHR, 2019: Impacts of cases of discrimination and violence against women, girls and adolescents. OEA/Ser.L/V/II. 14 November 2019.

IACHR, 2019: Violence against women and girls. Annex 2: impact cases. OEA/Ser.L/V/II. Doc. 233, 14 November 2019.

IACHR, 2019: Mujeres Periodistas y Libertad de Expresión

IACHR, 2019: Desplazamiento interno en el Triángulo Norte de Centroamérica Lineamientos para la formulación de políticas públicas

IACHR, 2020: Annual report 2020.

IACHR, 2020: Debido proceso en los procedimientos para la determinación de la condición de persona refugiada y apátrida, y el otorgamiento de protección complementaria

IACHR, 2021: Terms of Reference. External evaluation of the Inter-American Commission on Human Rights Strategic Plan 2017-2021.

IACHR's Strategic Plan 2017-2021 Theory of Change and the references to OHCHR's Annual Reports 2021 and 2020.

IACHR, 2021: PROJECT: Combating discrimination and violence against women and girls in Latin America and the Caribbean. REPORT ON THE FOLLOW UP OF PRECAUTIONARY MEASURES GRANTED TO PROTECT WOMEN AND GIRLS.

IACHR, 2021: Fortalecimiento de la gobernanza y la protección de los países del triángulo norte. Informe interino.

IACHR, 2021: Compendio sobre la obligación de los Estados de adecuar su normativa interna a los Estándares Interamericanos de Derechos Humanos : aprobado por la Comisión Interamericana de Derechos Humanos. OEA/Ser.L/V/II. Doc.11/21 25 de enero 2021.

IACHR, 2021: IACHR Completes Working Visit to Colombia and Issues Observations and Recommendations

International Labour Organization and World Bank 2021: Skills development in the time of COVID-19: Taking stock of the initial responses in technical and vocational education and training.

Kirkpatrick, Donald L. (1975). Techniques for Evaluating Programs. Parts 1, 2, 3, and 4. Evaluating Training Programs. ASTD.

Kotvojs, F., 2009: Development of Framework for Evaluating Capacity Development Initiatives in International Development.

Mesa de Sociedad Civil Contra el Desplazamiento Forzado a Causa de la Violencia en El Salvador. Informe Situacional del Incumplimiento en la Atención a las Víctimas de Desplazamiento Forzado por parte del Estado de El Salvador. Diciembre de 2019.

Ministerio de la Mujer y Poblaciones Vulnerables. Decreto Supremo 011-2021-MIMP. Decreto Supremo que aprueba la “Estrategia Nacional de Implementación del Sistema Nacional Especializado de Justicia para la Protección y Sanción de la Violencia contra las Mujeres e Integrantes del Grupo Familiar 2021-2026”.

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Oficina de Naciones Unidas para la Coordinación de Asuntos Humanitarios (OCHA). Panorama de las necesidades humanitarias: El Salvador, Guatemala y Honduras. Ciclo de Programa Humanitario 2020. Marzo de 2020.

OHCHR, 2020: United Nations Human Rights Report 2019.

OHCHR, 2018: Management Plan. Geneva.

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Parra Vera, Oscar. *El impacto de las decisiones interamericanas. Notas sobre la producción académica y una propuesta de investigación en torno al “empoderamiento institucional*

Procuración General de la Nación, Dirección General de Derechos Humanos. *Herramientas temáticas de trabajo: Derechos de los pueblos indígenas*. Mayo de 2021.

Procurador de los Derechos Humanos. Contribución del Procurador de los Derechos de Guatemala sobre “el nexo entre los desplazamientos forzados y las formas contemporáneas de esclavitud” en ocasión del 48º período de sesiones del Consejo de Derechos Humanos de las Naciones Unidas. Guatemala, marzo de 2021.

Salmón, Elizabeth. *Introducción al Sistema Interamericano de Derechos Humanos*. Lima: Pontificia Universidad Católica del Perú, Fondo Editorial, 2019.

United Nations Evaluation Group, 2020: Ethical Guidelines

United Nations’ Office of the High Commissioner for Human Rights (OHCHR), 2020: United Nations Human Rights Report 2020.

Valencia, Serafín & Gaitán, Isabel. Informe anual de la Relatoría de Libertad de Expresión de la Asociación de Periodistas de El Salvador (2019). Asociación de Periodistas de El Salvador (APES), 2020.

## Annex 3: List of persons interviewed

To safeguard the security of persons interviewed, this evaluation report does not disclose the names of persons participating in the evaluation. This measure is in line with the United Nations Evaluation Group's Ethical Guidelines (2020)<sup>105</sup>

The evaluation team consulted a total of 313 stakeholders during this final evaluation (63,6% women, 33,5% men and 2,9% without specification).

Eight Member States participated in the evaluation (12 interviewees), nine donors (15 interviewees), 29 IACHR personnel, six Commissioners and 251 non-State stakeholders.

This number includes 231 out of 862 stakeholders completing anonymously online surveys in English and Spanish (26,6% response rate).

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<sup>105</sup> United Nations Evaluation Group, 2020: Ethical Guidelines  
<http://www.unevaluation.org/document/detail/2866>

## Annex 4: Evaluation matrix

	Evaluation questions	Proposed evaluation tools	Data source
Relevance	1.1 Have the work carried out and the results achieved during the plan period been aligned with the objectives, priority issues and cross-cutting themes defined in the Strategic Plan?	Theory of Change validation meeting with IACHR team Document review	<ul style="list-style-type: none"> <li>• Strategic plan and other planning documents;</li> <li>• IACHR donor reporting</li> <li>• IACHR annual reports</li> <li>• Theory of Change reconstructed in the IACHR program evaluation (U.S.-funded, 2021)</li> <li>• IACHR management and staff</li> <li>• External stakeholders (donors, key partners)</li> </ul>
	1.2 Has the IACHR managed to modernize its institutional management with a focus on results, with efficient, effective and measurable institutional development, financial sustainability, transparency, accountability and policies for its staff with a focus on gender and diversity?	<ul style="list-style-type: none"> <li>• Document review</li> <li>• Telephone/ ZOOM interviews with IACHR staff</li> <li>• Telephone/ ZOOM interviews with external stakeholders, including donors</li> <li>• Focus Group ZOOM discussion with IACHR management</li> <li>• Online survey to IACHR stakeholders across the Americas (question 1.2 and 1.3)</li> </ul>	
	1.3 How did the COVID 19 pandemic affect the implementation of the Strategic Plan?		
Efficiency	2.1 How much have the results of the IACHR in the Plan period depended on the procurement, distribution and allocation of funds?	<ul style="list-style-type: none"> <li>• Document review</li> <li>• Telephone/ ZOOM interviews with IACHR management</li> </ul>	<ul style="list-style-type: none"> <li>• Strategic plan and other planning documents, financial documentation, including donor budgets;</li> <li>• IACHR management and staff</li> <li>• External stakeholders (donors, key partners)</li> </ul>
	2.2 In terms of programmatic efficiency, to what extent has the IACHR prioritized its action on a set of essential and priority activities rather than on fragmented projects?	<ul style="list-style-type: none"> <li>• Document review</li> <li>• Telephone/ ZOOM interviews with IACHR staff</li> <li>• Telephone/ ZOOM interviews with external stakeholders, including donors</li> <li>• Focus Group ZOOM discussion with IACHR management</li> </ul>	



<b>Effectiveness</b>	3.1 How effective has the IACHR's work been in contributing to the expected results defined in the Strategic Plan particularly in relation to its three fundamental pillars?	<ul style="list-style-type: none"> <li>• Document review</li> <li>• Telephone/ ZOOM interviews with IACHR staff</li> <li>• Telephone/ ZOOM interviews with external stakeholders, including donors</li> <li>• Focus Group ZOOM discussion with IACHR management</li> <li>• Online survey to IACHR stakeholders (rights holders and duty bearers) across the Americas</li> </ul>	<ul style="list-style-type: none"> <li>• IACHR annual reports</li> <li>• IACHR donor reporting</li> <li>• IACHR thematic and country reports</li> <li>• IACHR cases (e.g. precautionary measures or friendly settlements)</li> <li>• IACHR management and staff</li> <li>• External stakeholders (donors, rights holders and duty bearers)</li> </ul>
	3.2 Do victims of human rights violations, and in particular individuals and groups historically discriminated against, have more democratic, agile and effective access to the Inter-American Human Rights System?		
	3.3 Has the IACHR responded in a timely, coordinated manner and with on- the- ground presence to situations of human rights violations, particularly with respect to the situation of persons, groups, and populations in situations of vulnerability?		
	3.4 Has the IACHR's work to strengthen the capacity of state and social actors contributed to the consolidation of the institutionality and public policies with a human rights approach of the States in accordance with inter-American norms and standards?		
	3.5 Has the improvement of the IACHR's follow- up mechanisms contributed to the compliance of its recommendations and decisions by the States for the greater protection and respect of the human rights of the most vulnerable individuals and groups?		
	3.6 Were there any unforeseeable/not planned results or outcomes? If affirmative, why?		
<b>Sustainability</b>	4.1 To what extent are the results to which the IACHR has contributed sustainable during the implementation of the Strategic Plan?	<ul style="list-style-type: none"> <li>• Document review</li> <li>• Telephone/ ZOOM interviews with IACHR staff</li> <li>• Telephone/ ZOOM interviews with external stakeholders, including donors</li> <li>• Focus Group ZOOM discussion with IACHR management</li> <li>• Online survey to IACHR stakeholders (rights holders and duty bearers) across the Americas</li> </ul>	<ul style="list-style-type: none"> <li>• IACHR annual reports</li> <li>• IACHR donor reporting</li> <li>• IACHR thematic and country reports</li> <li>• IACHR cases (e.g. precautionary measures or friendly settlements)</li> <li>• IACHR management and staff</li> <li>• External stakeholders (donors, rights holders and duty bearers)</li> </ul>
	4.2 Has the Strategic Plan been effective in strengthening the IACHR's management in the observance, promotion, defense, and protection of human rights in the Americas?		
	4.3 Has the IACHR managed to modernize its institutional management with a focus on results, with efficient, effective, and measurable institutional development, financial sustainability, transparency, accountability, and policies for its staff with a focus on gender and diversity?		

## Annex 5: Data collection tools

### Evaluation questionnaire: IACHR stakeholders (also to be used for online survey)

The questionnaire was tailored for each stakeholder group.

Name	Gender	Position	Organization	Country	Date

#### (A) Relevance

##### 1. To what extent are the OAS' assumptions valid for an effective IACHR?

	Very high	High	Medium	Low	Very low	No answer
The States receive with interest and respect the recommendations of the IACHR and express their will or take actions to comply with the recommendations of the IACHR to improve respect for human rights in the region.						
The states accept and support the measures for reducing the procedural backlog						
The political context in OAS members States remains stable and facilitates the developing of IACHR activities						
The States have the capacity to implement the recommendations of the IACHR.						
The States - due to the emergence of COVID-19 - have the capacity and willingness to respond to requests for information, assist virtual meetings, and provide necessary information to follow-up on IACHR recommendations.						
The States and Members of civil society have access to technological/virtual tools to attend virtual meetings during the COVID-19 emergency.						
OAS/IACHR remains an efficient multilateral partner in the Americas						
OAS/IACHR convening power remains high						
Perception of the OAS/IACHR as a neutral body remains high						

*Please explain your assessment:*

*In the case of "medium," "low," and "very low" ratings, please explain:*

##### 2. To what extent did the IACHR (2018 to 2021) address issues of exclusion? How?

	Very high	High	Medium	Low	Very low	No answer
Women						
Youth						
Indigenous populations						
Other ethnic minorities						
Others						

*Please explain how this was achieved in case of “high” and “very high” ratings:*

**(B) Coherence**

To what extent is the IACHR program complementing other human rights initiatives?

Complementarity with other human rights initiatives of the OAS, the national, and the multilateral system	Very high	High	Medium	Low	Very low	No answer

Please explain:

**(C) Effectiveness: the achievement of project results**

3. To what extent is the IACHR making progress in achieving its objectives?

Achievement of planned objectives	Very high	High	Medium	Low	Very low	No answer
To contribute to the improvement of the observance and defense of human rights in the hemisphere in accordance with the highest international standards.						
Increasing the effectiveness of the work of the Inter-American Commission on Human Rights of promoting, defending, and protecting Human Rights in the Americas						
Increase number of petitions and requests evaluated by IACHR in each stage						
Improve the monitoring of the situation of human rights in the						
Improve the monitoring of the implementation of the recommendations and decisions issued by the IACHR						
Implement Action Plan of the Office of the Special Rapporteur for Freedom of Expression						
Overall, how satisfied are you with the results achieved to date?						

4. To what extent are the IACHR results achieved to date attributable to the actions of the operation?

5. What are the major internal and external factors that influenced the project's implementation to date?

6. Were there any unforeseeable/not planned results or outcomes?

**(D) Sustainability: are results lasting?**

7. To what extent does the institutional set-up of the IACHR program influence the performance and sustainability of the centers?

8. To what extent is the political buy-in of the IACHR ensured in beneficiary countries?

9. To what extent is the future funding of the IACHR ensured in beneficiary countries?

Sustainability	Very high	High	Medium	Low	Very low	No answer
Influence of institutional set-up of the IACHR on the performance and sustainability of the centers						
Political buy-in to the IACHR ensured						
Future funding of the IACHR ensured						

10. To summarize: what are the main strengths, weaknesses, opportunities, and threats of SBDC of the IACHR?

### Evaluation online survey: Capacity building IACHR clients

Gender	Position	Organization	Country	Date

#### (E) Relevance of the event

1. To what extent was the training relevant to a performance need in your organization?

	Very highly relevant	Highly relevant	Somewhat relevant	Slightly relevant	Not relevant at all	No answer
<b>Please select:</b>						

2. To what extent was this particular performance need a priority to be addressed?

	Very much so	High	More or less	A little	Not at all	No answer
<b>Please select:</b>						

Please explain your assessment:

#### (F) Efficiency: appropriate use of resources

3. To what extent was the training a timely response to your needs?

	Very much so	Timely	More or less	A little	Not at all	No answer
Timelines of training (appropriate moment of the event)						

Please elaborate

#### (G) Effectiveness: achievement of project results

4. To what extent has the training met your needs?

	Very much so	Much	More or less	A little	Not at all	No answer
<b>Please select:</b>						

Please explain your assessment:

5. If it was an online event, how effective was the format?

	Very effective	Effective	More or less	A little	Not at all	No answer
<b>Please select:</b>						

6. How would you assess the following results of the IACHR training?

Your learning as a result of the training

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No answer
<b>I have better/ more knowledge/understanding of the topic</b>						
<b>I believe this will be worthwhile to do on the job</b>						
<b>I know I can do it on the job</b>						
<b>I will do it on the job</b>						

7. As a follow-up to the IACHR training event, have you applied or transferred any knowledge/skills from the training to your work?

For those who say YES to application: Use question 8 to 12

8. Things you do differently as a result of the training

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No answer
<b>Systematic application of new learning when required</b>						
<b>Opportunities to discuss use of new learning with line manager</b>						
<b>Formal reporting includes experiences with new learning</b>						
<b>Formal feedback from line manager on my reporting of applying new learning</b>						

9. Things that changed at your workplace as a result of the training

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No answer
<b>I shared learning from the training informally with colleagues (e.g. during lunch breaks)</b>						
<b>I shared learning from the training formally in my workplace (e.g. presentation during team meeting)</b>						
<b>In my job I am more engaged in the topic I got trained on</b>						
<b>In my job I got new responsibilities related to the topic I got trained on</b>						
<b>In my job I am confident to lead on the topic I got trained on</b>						

As a result of the training, I got a job promotion						
As a result of the training, I got a new job in a different organization						
As a result of the training, my organization is performing better in reaching its objectives						

10. Please provide examples of the knowledge/skills area(s) which you have transferred or applied to your work and how you have done it. (Please try to be as specific as possible, indicating what you may have done differently as a result of transferring or applying the knowledge/skills.)

11. How much of the application of the indicated knowledge/skills to your workplace can you attribute directly to the training?

0-100% slider

12. Please indicate how frequently you have applied the knowledge/skills to your work.

	Frequently	Often	Occasionally	Infrequently	Never	No answer
<b>Please select:</b>						

163. To what extent has the following enabled/prevented you to apply the learnings from the IACHR training?:

	Very enabling	highly enabling	Highly enabling	Medium	A little disabling	Very much disabling	No answer
My supervisor closely monitored application of new knowledge							
My supervisor encouraged application of new knowledge							
My supervisor reinforced application of new knowledge							
My supervisor rewarded application of new knowledge							
Organizational hierarchies enabled the application of new knowledge							
Organizational incentive system in place to encourage the application of new knowledge							
Organizational culture allowing application of learning, also through committing errors							
I had an action plan on how to apply knowledge/skills							
My peers encouraged me to apply knowledge/skills							

<b>Enabling environment (policy/structure)</b>						
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17. Please reflect on and state your level of confidence you have in applying/transferring the knowledge/abilities from the training event to the workplace.

	Fully confident	Very confident	Neutral	Somewhat confident	Not at all confident	No answer
<b>Please select:</b>						

18. What are your recommendations to improve IACHR training further?

<sup>i</sup> Colombia: UN and OAS experts condemn crackdown on peaceful protests, urge a thorough and impartial investigation  
<http://www.oas.org/en/iachr/expression/showarticle.asp?IID=1&artID=1198>

<sup>ii</sup> IACHR Requests Authorization to Conduct a Working Visit to Colombia in the Wake of Alleged Human Rights Violations during Social Protests

[http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media\\_center/PReleases/2021/125.asp](http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2021/125.asp)

<sup>iii</sup> IACHR Condemns Serious Human Rights Violations in the Protest Context in Colombia, Rejects All Forms of Violence, and Stresses that the State Must Comply with its International Obligations

[http://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media\\_center/preleases/2021/137.asp](http://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/137.asp)

<sup>iv</sup> IACHR Announces Working Visit to Colombia in Response to Social Protests

[http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media\\_center/PReleases/2021/143.asp](http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2021/143.asp)

<sup>v</sup> IACHR, 2021: IACHR Completes Working Visit to Colombia and Issues Observations and Recommendations

[https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media\\_center/preleases/2021/167.asp](https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/167.asp)

<sup>vi</sup> The evaluation used the following methodology for the delimitation of thematic reports:

The material scope of this report is four thematic reports that respond to two axes: women and migrants and are taken from the period 2017-2021. It should be noted that these are a sample of a total of 105 reports issued to date by the IACHR, of which 35 reports correspond to the period under study. Of this universe, 11 reports refer to women and 5 reports to migrants. (Thematic reports whose content related to women or migrants is less than 4% of the total publication were not considered).

Selection of thematic reports: Due to the large number of thematic reports identified in the aforementioned period, it was decided to select two representative reports on each topic. For the selection, the standards developed by the IACHR in the reports were assessed. The reports selected for each topic are listed below,



specifying that the report on internal displacement in the Northern Triangle was selected as it incorporates relevant guidelines and standards on the matter, despite being focused only on a group of countries.

Mujeres	<ul style="list-style-type: none"> <li>● Informe “Las mujeres indígenas y sus derechos humanos en las Américas” (publicado el 27 de octubre de 2017, Informe OEA/Ser.L/V/II. Doc.44/17, <a href="https://www.oas.org/es/cidh/informes/pdfs/MujeresIndigenas.pdf">https://www.oas.org/es/cidh/informes/pdfs/MujeresIndigenas.pdf</a>)</li> <li>● Informe “Mujeres Periodistas y Libertad de Expresión” (publicado el 8 de marzo de 2019, Informe OEA/SER.L/V/II CIDH/RELE/INF.20/18, <a href="https://www.oas.org/es/cidh/expresion/docs/informes/MujeresPeriodistas.pdf">https://www.oas.org/es/cidh/expresion/docs/informes/MujeresPeriodistas.pdf</a>)</li> </ul>
Migrantes	<ul style="list-style-type: none"> <li>● Informe “Desplazamiento interno en el Triángulo Norte de Centroamérica Lineamientos para la formulación de políticas públicas” (publicado el 20 de agosto de 2019, Informe OEA/Ser.L/V/II. Doc.101/18, <a href="https://www.oas.org/es/cidh/informes/pdfs/DesplazamientoInterno.pdf">https://www.oas.org/es/cidh/informes/pdfs/DesplazamientoInterno.pdf</a>)</li> <li>● Informe “Debido proceso en los procedimientos para la determinación de la condición de persona refugiada y apátrida, y el otorgamiento de protección complementaria” (publicado el 18 de diciembre de 2020, Informe OEA/Ser.L/V/II. Doc.255/20, <a href="https://www.oas.org/es/cidh/informes/pdfs/DebidoProceso-ES.pdf">https://www.oas.org/es/cidh/informes/pdfs/DebidoProceso-ES.pdf</a>)</li> </ul>