International Human Rights

Legal Research Q&A for the IHR Clinic

Lyonette Louis-Jacques

D’Angelo Law Library, University of Chicago Law School, February 13, 2013
1. What international human rights treaties has India signed and ratified or acceded to?
2. Locate the most recent State Department Trafficking in Persons Report on India. How/where did you find it?
3. Has India taken any reservations/declarations/understandings to CEDAW? If so what are they?
4. Locate the most recent report filed by Argentina to the committee established to monitor CCPR. In what year was it filed? How/where did you find it?
5. Locate the most recent State Department and IACHR human rights reports on Jamaica. How/where did you find them? What are the dates of each?
6. Locate the Statute for the Inter-American Commission on Human Rights. How/where did you find it?
7. Locate the constitution of Colombia that is currently in effect. What year did it become effective? How did you find it?
8. What UN bodies are concerned with children’s human rights issues? How/where did you find the information?
Question#1. India’s International Human Rights Treaties?

- U.S. DOS, *Human Rights Reports*, Appendix C
- NHRC (Delhi, India), Declarations/Covenants
- Office of the UN High Commissioner for Human Rights (OHCHR)
- *Multilateral Treaties Deposited with the Secretary-General* (MTDSG/Status of Treaties)
- Bayefsky.com (The United Nations Human Rights Treaties, India: Ratifications)
- University of Minnesota Law Library: India, Ratification of IHR Treaties
## India’s Human Rights Treaty Obligations


|---------|---------|-------------------|---------|-------------------|-------------------|------------------|-----------------|------------------|----------------------|---------------------------|----------------------|----------------------|------------------------|--------------------------|-------------------|----------------------|------------------|-----------------|------------------|----------|--------|----------------|----------------|----------------|-------------------|

P = Party  
S = Signatory  
1 = Based on general declaration concerning treaty obligations prior to independence  
2 = Party to 1926 Convention only  
* = non-ILO member  
Text in RED indicates changes in status since the 2010 report. Text in BLUE indicates corrections from prior reporting.
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<tr>
<th>Sr. No.</th>
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<td>1.</td>
<td>Introduction <a href="#">link</a></td>
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<td>Universal Declaration of Human Rights <a href="#">link</a></td>
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<td>International Covenant on Economic, Social and Cultural Rights <a href="#">link</a></td>
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<td>Convention on the Rights of the Child <a href="#">link</a></td>
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<td>6.</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) <a href="#">link</a></td>
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<td>7.</td>
<td>India's Ratification Status <a href="#">link</a></td>
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</table>
## Core International Human Rights Treaties, Optional Protocols & Core ILO Conventions Ratified by India

<table>
<thead>
<tr>
<th>CORE INTERNATIONAL HUMAN RIGHTS TREATIES &amp; THEIR OPTIONAL PROTOCOLS RATIFIED BY INDIA</th>
<th>DATE OF ACCESSION / RATIFICATION</th>
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<tbody>
<tr>
<td>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965</td>
<td>India ratified the Convention on 3 December 1968 with certain reservations</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights (ICCPR), 1966</td>
<td>India acceded to the Convention on 10 April 1979</td>
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</table>

### India

**India and UN Charter-based Bodies**

#### Special Procedures

- Country visits by Special Procedures
  - Most recent Special Procedures’ reports
    - Report of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights - Mission to India (A/HRC/15/22/Add.3)
    - Report of the Special Rapporteur on the right to health - Mission to India (A/HRC/14/20/Add.2)
    - Report of the Special Rapporteur on the freedom of religion or belief - Mission to India (A/HRC/10/8/Add.3)
    - Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health - Mission Preliminary note on the mission to India (A/HRC/7/11/Add.4)
    - Report of the Special Rapporteur on the right to food, Jean Ziegler - Mission to India (E/CN.4/2006/44/Add.2)
    - Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy (E/CN.4/2001/73/Add.2)
  - Full list of documents in the Charter-based bodies Database

- Main page of the Special Procedures

#### India and UN Treaty Bodies

- Most recent concluding observations
  - Committee on the Elimination of Discrimination against Women
    - Concluding Observations (2010)
  - Committee on Economic, Social and Cultural Rights
    - Concluding Observations (2008)
  - Committee on the Elimination of Racial Discrimination
    - Concluding observations (2007)
  - Committee on the Rights of the Child
    - Concluding Observations (2000)
  - Human Rights Committee
    - Concluding observations (1997)
  - Full list of documents in the Treaty Body Database
OHCHR: Reporting Status

India
- CCPR-International Covenant on Civil and Political Rights
- CEDAW-Convention on the Elimination of All Forms of Discrimination against Women
  - 4, 5
    - 08/08/2010
  - 3
    - 08/08/2002
  - 2
    - 08/08/1998
  - 1
    - 08/08/1994
- CERD-International Convention on the Elimination of All Forms of Racial Discrimination
- CESCRI-International Covenant on Economic, Social and Cultural Rights
- CPD-Convention on the Rights of Persons with Disabilities
- CRC-Convention on the Rights of the Child

- Indonesia
- Iran (Islamic Republic of)
- Iraq
- Ireland
- Israel
- Italy
- Jamaica
### Multilateral Treaties Deposited with the Secretary-General

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### CHAPTER IV: Human Rights


Ratifications

India

Information is as of 31 May 2012

Information listed under ratifications includes the following:

1. whether a state has signed the treaty
2. whether a state has ratified/acceded/succeeded to the treaty
3. whether the state has accepted any optional provisions of the treaty
4. whether the state has ratified/acceded/succeeded to any amendments to the treaty
5. whether the state has ratified/acceded/succeeded to any Optional Protocol to a treaty

Where no date is listed for a particular state, that state is neither a party nor a signatory to the treaty.
Office of the High Commissioner for Human Rights (OHCHR from UN Home Page)

UN Bodies

- General Assembly Third Committee (Social, Humanitarian and Cultural)
  Documents, press releases, related links.

A young girl doing her school-work in Karachi, Pakistan. According to the Universal Declaration of Human Rights, everyone has the right to free primary education. (UN Photo/John Isaac)

UN Office for Human Rights

- High Commissioner for Human Rights (OHCHR)
- High Commissioner for Refugees (UNHCR)
- Special Adviser on the Prevention of Genocide
- Special Representative of the Secretary-General for Children and Armed Conflict
- Drugs and Crime (UNODC)

In Focus

- Secretary-General’s Panel of Experts on Sri Lanka
- Human Rights Day
- 10th Anniversary of the Durban Declaration and Programme of Action, General Assembly High-level Meeting, 22 September 2011
- 25th Anniversary of the Declaration on the Right...
List of Human Rights Issues

**Adequate Housing**
- Special Rapporteur on adequate housing

**Business and Human Rights**
- Business and Human Rights

**Children**
- Committee on the Rights of the Child
- OHCHR Study on children working
- OHCHR Study on children's rights to play
- Special Rapporteur on the sale of children
- United Nations Study on Violence against Children

**Civil and Political Rights**
- Human Rights Committee (HRC)

**Climate change**
- Human Rights and climate change
- Rio+20 - United Nations Conference

**Cultural rights**
- Special Rapporteur in the field of cultural rights

**Democracy**
- Rule of Law - Democracy and Human Rights

**Economic, Social and Cultural Rights**
- Committee on Economic, Social and Cultural Rights
- Economic, Social and Cultural Rights - General information
- Open-ended Working Group on an Optional Protocol

**Education**
- Human rights education and training
- Special Rapporteur on the right to education

**Torture**
- Subcommittee on Prevention of Torture
- United Nations Voluntary Fund for Victims of Torture

**Trafficking in Persons**
- Special Rapporteur on trafficking in persons, especially in women and children

**Transitional Justice**
- Special Rapporteur on the promotion of truth, justice, reparation and guarantees

**Transnational Corporations**
- Working Group on the issue of human rights and transnational corporations

**Water and sanitation**
- Special Rapporteur on the human right to safe drinking water and sanitation

**Women**
- Committee for the Elimination of Discrimination against Women (CEDAW)
- Special Rapporteur on violence against women, its causes and consequences
- Women's Rights and Gender main page
- Working Group on the issue of discrimination against women in law and in practice

**Related links**
- Charter of the United Nations
- The International Bill of Human Rights
- Universal Declaration of Human Rights 1948
- International Covenant on Economic, Social and Cultural Rights 1966
- International Covenant on Civil and Political Rights 1966
- Optional Protocol to the International Covenant on Civil and Political Rights
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
- The core international human rights instruments
- Universal human rights instruments
UN Human Rights Bodies

Treaty Bodies (Overview): http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx

Human Rights Bodies
The Office of the High Commissioner for Human Rights (OHCHR) works to offer the best expertise and support to the different human rights monitoring mechanisms in the United Nations system: UN Charter-based bodies, including the Human Rights Council, and bodies created under the international human rights treaties and made up of independent experts mandated to monitor States' compliance with their treaty obligations. Most of these bodies receive secretariat support from the Human Rights Council and Treaties Division of the Office of the High Commissioner for Human Rights.

Charter-based bodies
- Human Rights Council
- Universal Periodic Review
- Commission on Human Rights (replaced by the Human Rights Council)
- Special Procedures of the Human Rights Council
- Human Rights Council Complaint Procedure

Treaty-based bodies
There are ten human rights treaty bodies that monitor implementation of the core international human rights treaties:
- Human Rights Committee (CCPR)
- Committee on Economic, Social and Cultural Rights (CESCR)
- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee against Torture (CAT)
- Subcommittee on Prevention of Torture (SPT)
- Committee on the Rights of the Child (CRC)
- Committee on Migrant Workers (CMW)
- Committee on the Rights of Persons with Disabilities (CRPD)
- Committee on Enforced Disappearances (CED)

Universal Human Rights Index - the search engine for recommendations deriving from all human rights mechanisms

Treaty body document search
Quarterly newsletters on the treaty bodies

Overview
What is a human rights treaty body? - a short video
The treaty body strengthening process
Ratification status of international human rights treaties
Reporting status to human rights treaty bodies
Calendar of treaty body meetings 2013
Calendar of State party reports to be considered in 2013-2014
Annual meeting of Chairpersons
Common core documents
Petitions
Optional Protocol to the ICESCR – will enter into force on 5 May 2013

The full text of the Optional Protocol can be found at: http://www2.ohchr.org/english/law/docs/A.RES.63.117_en.pdf
The full text of the provisional rules of procedure under the Optional Protocol can be found at:
http://www2.ohchr.org/english/bodies/cescr/index.htm

GENEVA (6 February 2013) - The UN High Commissioner for Human Rights Navi Pillay on Wednesday applauded the upcoming entry into force of a key Protocol to an international treaty which will, for the first time, enable individual complaints on economic, social and cultural rights, thereby helping place all human rights on an equal footing.

After crossing the required threshold of state ratifications on Tuesday, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights will enter into force on 5 May.

“The entry into force of the Optional Protocol is a major breakthrough, which will enable victims under the jurisdiction of the States parties to seek justice for violations of their economic, social and cultural rights,” Pillay said.

“The Protocol will provide an important platform to expose abuses linked to poverty, discrimination and neglect, which until now victims have had to endure without any possible recourse at the international level. It will provide a way for individuals, who may otherwise be isolated and powerless, to make the international community aware of their situation,” the High Commissioner said.

“The entry into force of the Optional Protocol will also finally help place economic, social and cultural rights on an equal footing with all other human rights,” Pillay said. “The Protocol makes a strong and unequivocal statement about the equal value and importance of all human rights and the need for strengthened legal protection of economic, social and cultural rights in particular,” she added.

Uruguay triggered the coming into force of the Optional Protocol when, on 5 February, it became the tenth country to ratify, joining Argentina, Bolivia, Bosnia and Herzegovina, Ecuador, El Salvador, Mongolia, Portugal, Slovakia and Spain.

The Optional Protocol was adopted four years ago, on 10 December 2008, by the UN General Assembly. It gives the Committee on Economic, Social and Cultural Rights – the body which monitors the International Covenant to which the Protocol is attached – the competence to examine complaints from individuals or groups of individuals who claim a
Universal Human Rights Instruments

HUMAN RIGHTS IN THE ADMINISTRATION OF JUSTICE: PROTECTION OF PERSONS SUBJECTED TO DETENTION OR IMPRISONMENT

- Standard Minimum Rules for the Treatment of Prisoners
- Basic Principles for the Treatment of Prisoners
- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty
- Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

RIGHTS OF WOMEN

- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-OP)
- Declaration on the Protection of Women and Children in Emergency and Armed Conflict
- Declaration on the Elimination of Violence against Women

RIGHTS OF THE CHILD

- Convention on the Rights of the Child (CRC)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC-OPSC)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OPAC)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
**Argentina and UN Charter-based Bodies**

**Country visits by Special Procedures**

- Report of the Special Rapporteur on trafficking in persons, especially women and children - Mission to Argentina (A/HRC/17/35/Add.4)
- Report of the Working Group on enforced or involuntary disappearances - Mission to Argentina (A/HRC/10/9/Add.1)

**Main page of the Special Procedures**

**Argentina and UN Treaty Bodies**

- Most recent concluding observations
- Committee on the Rights of Persons with Disabilities
  - Concluding observations (2012)
- Committee on Economic, Social and Cultural Rights
  - Concluding observations (2011)
- Committee on Migrant Workers
  - Concluding observations (2011)
- Committee on the Elimination of Discrimination against Women
  - Concluding observations (2010)
- Committee on the Rights of the Child
  - Concluding observations (2010)
  - OPSC: Concluding observations
  - OPAC: Concluding observations
- Committee on the Elimination of Racial Discrimination
  - Concluding observations (2010)
- Human Rights Committee
  - Concluding observations (2010)
- Committee Against Torture
  - Concluding Observations (2006)

**For the year**

**Links**

- UN Links
  - Defensoría del Pueblo de la Nación Argentina (Ombudsman)
- Geneva Conventions
- ILO Conventions
- Inter-American Commission on Human Rights
- Inter-American Court of Human Rights
- International Criminal Court
- Refugee Conventions

**OHCHR in the field**

- Map of OHCHR field presences
- Regional Offices
- Country Offices
- Human Rights Components of Peace Missions
Question #2. Trafficking in Persons: India?

http://www.state.gov/j/tip/rls/tiprpt/index.htm
At page 184, 2012 TIP Report.

Traffic in Persons Report

The Trafficking in Persons (TIP) Report is the U.S. Government’s primary diplomatic tool to combat the demand for commercial sex and labor trafficking. This is the world’s most comprehensive report on human trafficking.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Ministry of Home Affairs (MHA) continued to establish Anti-Human Trafficking Units (AHTUs), which were responsible for combining law enforcement and rehabilitation efforts. The Central Bureau of Investigation launched an anti-trafficking unit in the reporting period and gave investigation authority under trafficking-related laws to all its police officers. Challenges remain regarding overall law enforcement efforts against bonded labor and the alleged complicity of public officials in human trafficking.

Recommendations for India: Develop a comprehensive anti-trafficking law or amend anti-trafficking legislation to be in line with the 2000 UN TIP Protocol, with adequate penalties prescribed by the UN Transnational Organized Crime Convention; increase prosecutions and convictions on all forms of trafficking, including bonded labor; prosecute officials allegedly complicit in trafficking, and convict and punish officials complicit in trafficking; encourage states to establish special anti-trafficking courts; improve distribution of state and central government rehabilitation funds to victims under the Bonded Labor (System) Abolition Act (BLSA); improve protections for trafficking victims who testify against their traffickers; encourage AHTUs to address both sex and labor trafficking of adults and children; encourage state and district governments to file bonded labor...
Question #3. India’s Reservations to CEDAW

Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979

Introduction

On 18 December 1979, the Convention on the Elimination of All Forms of Discrimination against Women was adopted by the United Nations General Assembly. It entered into force as an international treaty on 3 September 1981 after the twentieth country had ratified it. By the tenth anniversary of the Convention in 1989, almost one hundred nations have agreed to be bound by its provisions.

The Convention was the culmination of more than thirty years of work by the United Nations Commission on the Status of Women, a body established in 1946 to monitor the situation of women and to promote women's rights. The Commission's work has been instrumental in bringing to light all the areas in which women are denied equality with men. These efforts for the advancement of women have resulted in several declarations and conventions, of which the Convention on the Elimination of All Forms of Discrimination against Women is the central and most comprehensive document.
### Multilateral Treaties Deposited with the Secretary-General

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<td>Charter of the United Nations and Statute of the International Court of Justice</td>
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*Article 102 of the Charter of the United Nations*

> “Every treaty and every international agreement entered into after the date of entry into force of the United Nations Charter comes into force as soon as possible, and as near to said date as possible, to be registered with the Secretariat and published by it.”

*http://treaties.un.org/*
CHAPTER IV
HUMAN RIGHTS

8. Convention on the Elimination of All Forms of Discrimination against Women

New York, 18 December 1979

**Entry into force**: 3 September 1981, in accordance with article 27(1).

**Registration**: 3 September 1981, No. 20378

**Status**: Signatories: 99. Parties: 187


**Note**: The Convention was opened for signature at the United Nations Headquarters on 1 March 1980.

<table>
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<tr>
<th>Participant</th>
<th>Signature</th>
<th>Ratification, Accession(a), Succession(d)</th>
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<tr>
<td>Afghanistan</td>
<td>14 Aug</td>
<td>5 Mar 2003</td>
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Declarations:

"i) With regard to articles 5 (a) and 16 (1) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it shall abide by and ensure these provisions in conformity with its policy of non-interference in the personal affairs of any Community without its initiative and consent.

"ii) With regard to article 16 (2) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that though in principle it fully supports the principle of compulsory registration of marriages, it is not practical in a vast country like India with its variety of customs, religions and level of literacy."

Reservation:

"With regard to article 29 of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it does not consider itself bound by
The United Nations Human Rights Treaties

Reservations, Declarations, Objections and Derogations

CEDAW - India

Information is as of 29 February 2012.

All information is from the United Nations, Multilateral Treaties Deposited with the Secretary-General. The material is organized into the same categories used in the source document. The placement of footnotes in various sections of bayefsky.com corresponds to the placement of footnotes in the source document.

The source document contains multiple cross-references to other sections of the publication and other documents. In bayefsky.com the text of information that is the subject of cross-referencing in the source document is reproduced in [square brackets] in place of the cross reference. Where the text of material introduced because of a cross-reference in the source document is from outside Chapter IV (the human rights chapter of the source document) it is both in [square brackets] and italics.

This section includes several types of information:
The reporting cycle under the human rights treaties

1. State party submits its report

2. Treaty body presents State party with list of issues and questions based on concerns raised by the report

3. State party may submit written replies to list of issues and questions

4. Constructive dialogue between Committee and State party delegation during session

5. Treaty body issues its concluding observations on the report, including recommendations

6. Procedures to follow up on implementation of treaty body recommendations

The cycle begins one year after entry into force of the treaty (two years for CRC and ICESCR) and repeats according to the periodicity: every 2 years for ICERD, every four years for ICCPR, CEDAW and CAT, and every five years for ICESCR, CRC and ICPRMW.
Question#4. Argentina: Recent CCPR Report?

- Treaty Body Document Search/ Treaty Bodies Database (OHCHR)
- OCHR → Human Rights by Country → Argentina → Reporting Status → CCPR
- Bayefsky.com
- Official Document System of the United Nations (Previous ODS, Enhanced ODS)
Note: This search only refers to official United Nations treaty body documents.
UN OHCHR By Country – Reporting Status

http://www.unhchr.ch/tbs/doc.nsf/NewhvVAllSPRByCountry?OpenView&Start=1&Count=250&Expand=7#7

- Antigua and Barbuda
- Argentina
  - CAT-Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
  - CCPR-International Covenant on Civil and Political Rights
    - 5 03/30/2014
    - 3 11/07/1997 07/20/1998
    - 2 11/07/1992 01/07/1994
- CED-Convention for the Protection of All Persons from Enforced Disappearance
- CEDAW-Convention on the Elimination of All Forms of Discrimination against Women
- CERD-International Convention on the Elimination of All Forms of Racial Discrimination
- CESCRI-International Covenant on Economic, Social and Cultural Rights
- CMW-International Convention on the Elimination of All Forms of Discrimination against Women
- CPD-Convention on the Prevention and Punishment of the Crime of Genocide
- CRC-Convention on the Rights of the Child
- CRC-OP-ACG-Optional Protocol to the Convention on the Rights of the Child
- CRC-OP-SC-Optional Protocol to the Convention on the Rights of the Child

Armenia
Australia

- Status of Ratifications
- Reporting Status
- Open invitation to Special Procedures
- Voluntary Pledges and Commitments
Argentina State Party Report
CCPR/C/ARG/4 (2008)

UNITED NATIONS

International covenant on civil and political rights

HUMAN RIGHTS COMMITTEE

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT

Fourth periodic report

ARGENTINA **

CCPR

Distr.
GENERAL

CCPR/C/ARG/4
13 March 2008

ENGLISH
Original: SPANISH
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**Argentina**

- Ratifications
- Reservations, Declarations, Objections and Derogations
- Reporting History
- **State Reports**
  - Core Reports
  - Lists of Issues
  - Replies to Lists of Issues
  - Summary Records
  - Concluding Observations
  - Jurisprudence

**OTHER DOCUMENTS**

- Special Decisions or Action Taken Concerning Reporting
- Follow-up: State Reporting
- Follow-up: Jurisprudence

Information is as of November 2012.
You can search by UN document symbol – CCPR/C/ARG

http://documents.un.org/
Bureau of Democracy, Human Rights and Labor
Jamaica

EXECUTIVE SUMMARY
Section 1. Respect for the Integrity of the Person, Including Freedom from:
  a. Arbitrary or Unlawful Deprivation of Life
  b. Disappearance
  c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
  d. Arbitrary Arrest or Detention
  e. Denial of Fair Public Trial
  f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Section 2. Respect for Civil Liberties, Including:
  a. Freedom of Speech and Press
  b. Freedom of Peaceful Assembly and Association
  c. Freedom of Religion

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government
  Elections and Political Participation

Section 4. Official Corruption and Government Transparency

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons
  Women
  Children
  Anti-Semitism
  Trafficking in Persons
  Persons with Disabilities
  National/Racial/Ethnic Minorities
  Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Section 7. Worker Rights
  a. Freedom of Association and the Right to Collective Bargaining
  b. Prohibition of Forced or Compulsory Labor
  c. Prohibition of Child Labor and Minimum Age for Employment
  d. Acceptable Conditions of Work

U.S. Dept. of State Country Reports on Trafficking in Persons (http://www.state.gov/g/tip/).


Asylumlaw.org (http://www.asylumlaw.org).


Canadian Immigration and Refugee Board, Research sections contains country of origin research and national documentation packages (http://www.irb-cisc.gc.ca/en/research/index_e.htm).

Center for Gender and Refugee Studies (http://cgrs.uchastings.edu/).


European Country of Origin Information Network (http://www.ecoi.net/).

Forced Migration Online (http://www.forcedmigration.org/).


Check news sources also


UNDP Human Development Reports (http://hdr.undp.org/).

U.S. Dept. of State Country Reports on Human Rights Practices (http://www.state.gov/g/drl/hrp/).

National Documentation Packages
- Jamaica, 30 January 2013
- Links to many country reports for Jamaica

Responses to Information Requests
- Jamaica, 14 January 2013
- Reports on special areas such as crime
2. Organized Crime and Gang Violence

Sources indicate that organised crime and gang violence are concerns in the country (JFJ 14 Dec. 2012; AI 2012; US 20 Mar. 2012, 5). According to Freedom House, a lot of the violence in Jamaica "is the result of warfare between drug gangs" (2012). The OSAC report similarly indicates that "[o]rganized crime and other criminal elements are prevalent and extremely active" and that most crime is related to gangs (US 20 Mar. 2012, 5). According to police statistics, 65.7 percent of all murders committed between 1 January and 27 October 2012 were gang-related, while 53.1 percent of murders committed in 2011 were gang-related (Jamaica 28 Oct. 2012, 3). However, the Executive Director of JFJ noted that "the definition of gang violence is extremely broad," adding that it is hard to distinguish between organised crime and gang violence, as gangs may be involved in organized crime or may simply be "hoodlums" (JFJ 14 Dec. 2012).

Freedom House indicates that "Kingston’s insular ‘garrison’ communities remain the epicenter of most violence and serve as safe havens for gangs" (2012). According to AI, these are communities "entirely under the control of one or other of the political parties" (AI May 2011, 8). AI also notes that criminal gangs ensure people in garrison communities vote for a
DOS Human Rights Reports, Historical

- LexisNexis: through 2011 (annual update)
**Question#5. IACHR Report, Jamaica?**


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<td>About the IACHR</td>
<td>Jamaica, 2012 - Report on the Situation of Human Rights in Jamaica</td>
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<td>Honduras, 2010 – Preliminary Observations of the IACHR on its Visit to Honduras, May 15 to 18, 2010</td>
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<td>Venezuela, 2009 – Democracy and Human Rights in Venezuela</td>
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<td>Haiti, 2008 – Observations of the IACHR upon Conclusion of its April 2007 Visit to Haiti</td>
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Research Guide: Country Conditions

Resources for researching immigration, asylum and human rights issues.

Last Updated: Aug 31, 2012

URL: http://lawlibraryguides.bu.edu/AHRClinic

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**General**

- Clinical Programs Research Guide
- Find Information on Specific Topics
- Find Information on Mass. Courts
- Search the Web Using Google
- PACER
- Westlaw Dockets

**Research Strategy**

The first step in your research should be to familiarize yourself with the relevant statutes and regulations affecting your particular immigration situation. For this you should use the US primary sources and secondary sources.

If you are preparing an asylum case, the next step is to broaden your research to look at the following: country conditions, relevant international law, relevant foreign law and secondary sources.

There are additional research guides which might also be of help below. Also, if you are trying to keep up with developments in the area, check out the list of current awareness resources.

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**Asylum and Immigration Research Guides**

For further information on researching asylum, immigration and refugee law, see section 9 of Specialized Legal Research (Law Reserve and Law Ref Desk KF240 S63 1987).

Some helpful web sites for asylum, immigration and refugee research include:

**Case Docket Information**

For docket information on cases litigated in the federal courts, use Westlaw or PACER. If using Westlaw, you can access the full directory of the Westlaw dockets databases by clicking on “Directory” from the main search page and then, under the “Litigation” heading, selecting “Dockets.” If using PACER,
Question #6. IACHR Statute?

OAS » Inter-American Commission on Human Rights (IACHR) » About the IACHR » Basic Documents in the Inter-American System

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<td>American Declaration of the Rights and Duties of Man</td>
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<td>Table: Signatures and Current Status of Ratifications Protocols as of February 2012</td>
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<td>American Convention on Human Rights</td>
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<td>Declaration of Principles on Freedom of Expression</td>
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<td>Principles and Best Practices on the Protection of Persons Deprived of Liberty in Americas</td>
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<td>Statute of the Inter-American Commission on Human Rights</td>
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<td>Rules of Procedure of the Inter-American Commission on Human Rights</td>
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<td>Rules of Procedure of the IACHR on the Legal Assistance Fund of the Inter-American Human Rights System</td>
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<td>Rules of Procedure of the Inter-American Court of Human Rights</td>
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Regional Materials: IACHR

Inter-American Commission on Human Rights

Annual Reports
Special Reports
Country Reports
Public Hearings

Guatemala

Haiti

Mexico
1998


http://www1.umn.edu/humanrts/regional.htm
Question#7. Colombian Constitution? Effective Date?

- Foreign Law Guide
- GlobaLex: Colombia
- CIA World Factbook
- Secretaria del Senado
- Via the Corte Constitucional
- Constitutions of the Countries of the World (access problems)
- HeinOnline: World Constitutions Illustrated
- Web/full-text database search
- Political Database of the Americas (Constitución de 1991 con reformas hasta 2009 / Political Constitution of 1991 with reforms through 2009)
Introduction
Colombia is a unitary republic comprised of 23 departments and a vast territory of “intendencias” administered directly from Bogotá, with a government closely involved in the economic sector but not particularly antagonistic to foreign investment. It is a member of ALADI and of the Andean Community. The present structure under the 1886 constitution is one of “political centralization” and “administrative decentralization,” this last a vestigial remnant of a federal system which was abolished in 1885. There is a democratically elected president and bicameral legislature.

The early legal and constitutional history is confused, affected by the fact that Colombia of today is not the territory that gained its independence from Spain in 1819, but was instead created from smaller former territories.

CONSTITUTION AND POLITICAL LEGISLATION
Constitution of 5 Jul 1991 is a comprehensive document that revokes and replaces the constitution of 1868, as amended through 1987. Newer constitution published in Diario oficial 7 Jul 1991. Translated in Doing business in Colombia* and, with amendments to 16 Dec 1997, in Constitutions of the countries of the world© and in World constitutions illustrated at http://heinonline.org.proxy.uchicago.edu/. This last also provides English translations or original texts of fifteen historic constitutions or decrees of New Granada or Colombia of 1811–1886.
Since its entry into force on July 6, 1991, the Constitution of Colombia has been reform accelerated notably during the presidency of Alvaro Uribe (2002-2010).
**República de Colombia / Republic of Colombia**

Constitución de 1991 con reformas hasta 2009
Constitution of 1991 with reforms through 2009

Última Actualización / Last updated: March 21, 2011

CONSTITUCION DE COLOMBIA

Esta versión corresponde a la segunda edición corregida de la
Constitución Política de Colombia, publicada en la Gaceta


JACOBO PEREZ ESCOBAR,

Fuente/Source: Secretaría del Senado de la República de Colombia
SECRETARIA DEL SENADO (“Annotated” Constitution of Colombia)

PREAMBULO

El pueblo de Colombia,

en ejercicio de su poder soberano, representado por sus delegatarios a la Asamblea Nacional Constituyente, invocando la protección de Dios, y con el fin de fortalecer la unidad de la Nación y asegurar a sus integrantes la vida, la convivencia, el trabajo, la justicia, la igualdad, el conocimiento, la libertad y la paz, dentro de un marco jurídico, democrático y participativo que garantice un orden político, económico y social justo, y comprometido a impulsar la integración de la comunidad latinoamericana, decreta, sanciona y promulga la siguiente:

CONSTITUCION POLITICA DE COLOMBIA

<Esta versión corresponde a la segunda edición corregida de la Constitución Política de Colombia, publicada en la Gaceta Constitucional No. 116 de 20 de julio de 1991>

NOTAS DE VIGENCIA:

36. Modificada por el Acto Legislativo 6 de 2011, publicado el Diario Oficial No. 48.263 de 24 de noviembre de 2011, 'Por el cual se reforma el numeral 4 del artículo 238, el artículo 250 y el numeral 1 del artículo 251 de la Constitución Política'
Vigente el 5, el 6 o el 7 de julio de 1991?

"constitucion politica" AND colombia AND ("el 5" OR "el 6" OR "el 7") AND "julio de 1991"

El control constitucional de la reforma a la Constitución - Page 70
Roberto Rodríguez Gaona - 2006 - Preview
D) El artículo 241, fracción I de la Constitución Política de Colombia, en vigor desde el 7 de julio de 1991. Aunque el... la Carta Magna vigente desde el 7 de julio de 1991 consagra en el artículo 241 el examen de las reformas. Artículo.

Inter-American Yearbook on Human Rights Anuario interamericano de ... - Page 533
Inter-American Commission on Human Rights Staff, Inter-American Court Of Human Rights/La Corte Interamericana De Derechos Humanos Staff - 1996 - Snippet view - More editions
En esta oportunidad el pueblo colombiano participó por primera vez en la elección de un Vicepresidente de la republica, cargo electivo creado por la nueva Constitución Política de Colombia, vigente desde el 5 de julio de 1991.

Gaceta de la Corte Constitucional - Volume 12 - Page 123
Colombia. Corte Constitucional. acontece, en razón de los motivos de forma diferentes o en relación con la confrontación se lleve a cabo respecto de los... respecto de aquellas acciones de inconstitucionalidad siguiente al 7 de julio de 1991 fecha... Artículo del 11 de febrero de 1993: "La Constitución Política de Colombia..."

Constituciones latinoamericanas - Page 239
COLOMBIA. Vigente desde el 7 de julio de 1991 (publicada en la Gaceta Constitucional N° 127) se incluye la... promulga la siguiente: CONSTITUCIÓN POLÍTICA DE COLOMBIA, TÍTULO I, De los Principios Fundamentales, Artículo 1.
Question #8. UN Children’s Rights Bodies

List of Human Rights Issues

Adequate Housing
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living in this context
Toolkit on the right to adequate housing

Business and Human Rights
Business and Human Rights

Children
Committee on the Rights of the Child (CRC)
OHCHR Study on children working and/or living on the street
OHCHR Study on children’s right to health
Special Rapporteur on the sale of children, child prostitution and child pornography
United Nations Study on Violence against Children

Civil and Political Rights
Human Rights Committee (HRC)

Climate change
Human Rights and climate change
Questions? Thanks!

Lyonette Louis-Jacques
Foreign and International Law Librarian and Lecturer in Law

D’Angelo Law Library
llou@uchicago.edu