Distinguished Ladies and Gentlemen

I am honoured to have been invited to deliver opening remarks at this 5th Human Rights Seminar for CARICOM States. Actually, I am flattered, since I was only accredited to the OAS on September 30. You may therefore wish to blame Hilaire Sobers for this rash invitation to a new boy but if you find fault with any of my remarks this morning, the fault is entirely mine.

This Seminar is very timely and relevant for CARICOM States. As most of you may know, only six CARICOM countries are parties to the American Convention on Human Rights: Barbados, Dominica, Grenada, Haiti, Jamaica and Suriname. And of these six, only three have acceded to the jurisdiction of the Inter-American Court on Human Rights (Barbados, Haiti and Suriname). In other words, the CARICOM bloc is the largest group of States within the OAS that has either not ratified the American Convention or acceded to the compulsory jurisdiction of the Inter-American Court. To give you the full picture, beyond CARICOM, out of 34 OAS Member States, 24 are currently parties to the Convention and 22 have acceded to Court. Clearly, there is still a lot of work to be done to achieve universality of membership.

In terms of CARICOM’s relationship with the Inter-American Human Rights System, most of the Community’s interaction is at the level of the Inter-American Commission on Human Rights (IACHR), whose principal mandate is to protect, promote and monitor human rights in the Americas, including the Caribbean.

In terms of promoting human rights in the Caribbean and given the obvious need to raise the level of participation of CARICOM States in the Inter-American Human Rights System, this series of seminars aims to institutionalise the training of State agents from CARICOM countries, with regard to (a) how the IACHR carries out its mandate; and (b) how CARICOM States can contribute
to the strengthening of that mandate in a way that redounds to the benefit of CARICOM citizens.

I am pleased to note that, over the past decade, the IACHR has increased its presence and visibility in CARICOM, mostly through seminars, conferences, academic events and other similar activities. Most recently, in May 2016, the IACHR, in conjunction with the University of the West Indies and the European Union, conducted a training seminar for CARICOM Ombudsmen, at UWI’s Mona Campus in Jamaica, focusing on citizen security and human rights in the context of the Inter-American Human Rights System.

Prior to that, in September 2012, the IACHR collaborated with the Institute of International Relations and UWI to hold a Forum at the St. Augustine Campus in Trinidad and Tobago, on Strengthening the Inter-American Human Rights System. I was privileged to support that effort in my previous capacity as OAS Representative in Trinidad and Tobago.

Notwithstanding the relatively low participation of CARICOM States in the Inter-American Human Rights System, a number of Caribbean nationals have served with distinction in the System, since the early 1980s, contributing to the development of jurisprudence and taking on various leadership roles. Most recently and perhaps most notably because they are all women, Ms. Tracy Robinson of Jamaica and Prof. Rose-Marie Antoine of Trinidad and Tobago were elected President and First Vice-President of the Commission, respectively, in March 2014, marking the first time that the two highest leadership positions were filled by Caribbean nationals; and currently, Commissioner Margarette May Macaulay of Jamaica, previously a member of the Inter-American Court from 2006 to 2012, is Second Vice President of the IACHR.

With regard to protecting human rights, the major tools at the Commission’s disposal are the petition/case system and the issuance of precautionary measures. I understand that these topics are covered in this Seminar so I will leave it to the experts to tell you more. What I would like to say, however, for anyone concerned about the reach of the IACHR in respect of controversial legal issues such as the retention and implementation of the death penalty, is that a Symposium on the Caribbean Court of Justice at the Faculty of Law at UWI-St. Augustine – supported by the OAS Office in Trinidad and Tobago with the participation of the OAS Director of International Legal Cooperation, which
I was able to facilitate – was of the view that there was no incompatibility between the Inter-American Human Rights System and the jurisdiction of the CCJ – a view supported by none other than the President of the CCJ himself, Sir Dennis Byron.

In terms of monitoring the state of human rights in the region, the IACHR has, over the past decade, conducted either on-site or working visits to CARICOM countries like Jamaica (2008), Suriname (2013), and Haiti (2009 and 2012). More recently, CARICOM itself has collaborated with the IACHR in the specific case of the treatment of citizens of Haitian descent in the Dominican Republic. Indeed, the engagement of CARICOM and the Commission on the question of the fundamental rights of Dominicans of Haitian descent is an excellent example of how CARICOM States and the IACHR can work together in the defence of human rights and in the advancement of the rule of law in the region.

I believe I have said enough. I know that you have a full and potentially rewarding programme ahead of you. I encourage you, therefore, to make the most of this opportunity to learn more about the Inter-American Human Rights System, with a view to helping to find ways to enhance the participation of CARICOM States in the System and, ultimately, to strengthening the System in the best interests of the citizens of the Caribbean and the Americas.

Thank you for your kind attention.