

	AMERICAN CONVENTION ON HUMAN RIGHTS "Pact of San José" Signed at the Inter-American Specialized Conference on Human Rights, San José, Costa Rica held from November 8-22 1969 ENTRY INTO FORCE: July 18, 1978	ACCEPTANCE OF THE JURISDICTION OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS	ADDITIONAL PROTOCOL TO THE AMERICAN CONVENTION ON HUMAN RIGHTS IN THE AREA OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS "PROTOCOL OF SAN SALVADOR" (Adopted at San Salvador, El Salvador on November 17, 1988) ENTRY INTO FORCE: November 16, 1999	PROTOCOL TO THE AMERICAN CONVENTION ON HUMAN RIGHTS TO ABOLISH THE DEATH PENALTY (Adopted at Asunción, Paraguay, on June 8, 1990) ENTRY INTO FORCE: August 28, 1991	INTER-AMERICAN CONVENTION TO PREVENT AND PUNISH TORTURE (Adopted at Cartagena de Indias, Colombia, on December 9, 1985) ENTRY INTO FORCE: February 28, 1987	INTER-AMERICAN CONVENTION ON FORCED DISAPPEARANCE OF PERSONS (Adopted at Belém do Pará, on June 9, 1994) ENTRY INTO FORCE: March 28, 1996	INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT, AND ERADICATION OF VIOLENCE AGAINST WOMEN "CONVENTION OF BELÉM DO PARÁ" (Adopted at Belém do Pará, Brazil, on June 9, 1994) ENTRY INTO FORCE: March 5, 1995	INTER-AMERICAN CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST PERSONS WITH DISABILITIES (Adopted at Guatemala City, Guatemala on June 7, 1999) ENTRY INTO FORCE: September 14, 2001
Antigua and Barbuda	-	-	-	-	-	-	AD 11.19.98	-
Argentina <sup>1</sup>	R 09.05.84	A 09.05.84	R 10.23.03	S 09.05.08	R 03.31.89	R 02.28.96	R 07.05.96	R 01.10.01
Bahamas <sup>2</sup>	-	-	-	-	-	-	AD 05.16.95	-
Barbados <sup>3</sup>	R 11.27.82	A 06.04.00	-	-	-	-	R 05.16.95	-
Belize	-	-	-	-	-	-	AD 11.25.96	-
Bolivia <sup>4</sup>	AD 07.19.79	A 07.27.93	R 10.05.06	-	R 11.21.06	R 05.05.99	R 12.05.94	R 05.30.03
Brazil <sup>5</sup>	AD 09.25.92	A 12.10.98	AD 08.21.96	R 08.13.96	R 07.20.89	S 06.10.94	R 11.27.95	R 08.15.01
Canada	-	-	-	-	-	-	-	-
Chile <sup>6</sup>	R 08.21.90	A 08.21.90	S 06.05.01	R 19.16.08	R 09.30.88	S 06.10.94	R 11.15.96	R 02.26.02
Colombia <sup>7</sup>	R 07.31.73	A 06.21.85	AD 12.23.97	-	R 01.19.99	R 04.12.05	AD 11.15.96	R 02.11.04
Costa Rica <sup>8</sup>	R 04.08.70	A 07.02.80	R 11.16.99	R 05.26.98	R 02.08.00	R 06.02.96	R 07.12.95	R 02.08.00
Cuba	-	-	-	-	-	-	-	-
Dominica <sup>9</sup>	R 06.11.93	-	-	-	-	-	R 06.06.95	S 06.08.99
Dominican Republic <sup>10</sup>	R 04.19.78	A 03.25.99	S 11.17.88	-	R 01.29.87	-	R 03.07.96	R 02.05.07
Ecuador <sup>11</sup>	R 12.28.77	A 07.24.84	R 03.25.93	R 04.15.98	R 11.09.99	R 07.27.06	R 09.15.95	R 03.18.04
El Salvador <sup>12</sup>	R 06.23.78	A 06.06.95	R 06.06.95	-	R 12.05.94	-	R 01.26.96	R 03.08.02
Grenada <sup>13</sup>	R 07.18.78	-	-	-	-	-	R 02.15.01	-
Guatemala <sup>14</sup>	R 05.25.78	A 03.09.87	R 10.05.00	-	R 01.29.87	R 02.25.00	R 04.04.95	R 01.28.03
Guyana	-	-	-	-	-	-	R 02.28.96	-
Haiti <sup>15</sup>	AD 09.27.77	A 03.20.98	S 11.17.88	-	S 06.13.86	-	AD 06.02.97	S 06.08.99
Honduras <sup>16</sup>	R 09.08.77	A 09.09.81	-	-	S 03.11.86	R 07.11.05	R 07.12.95	-
Jamaica <sup>17</sup>	R 08.07.78	-	-	-	-	-	R 12.14.05	S 06.08.99
Mexico <sup>18</sup>	AD 03.24.81	A 12.16.98	R 04.16.96	R 06.28.07	R 06.22.87	R 04.09.02	R 11.12.98	R 01.25.01
Nicaragua <sup>19</sup>	R 09.25.79	A 02.12.91	S 11.17.88	R 11.09.99	S 09.29.87	S 06.10.94	R 12.12.95	R 11.25.02
Panama <sup>20</sup>	R 06.22.78	A 05.09.90	R 02.18.93	R 08.28.91	R 08.28.91	R 02.28.96	R 07.12.95	R 02.16.01
Paraguay <sup>21</sup>	R 08.24.89	A 03.11.93	R 06.03.97	R 12.07.00	R 03.09.90	R 11.26.96	R 10.18.95	R 10.22.02
Peru <sup>22</sup>	R 07.28.78	A 01.21.81	R 06.04.95	-	R 03.28.91	R 02.13.02	R 06.04.96	R 08.30.01
Saint Kitts and Nevis	-	-	-	-	-	-	R 06.12.95	-
Saint Vincent and the Grenadines	-	-	-	-	-	-	R 05.31.96	-
Santa Lucia	-	-	-	-	-	-	R 04.04.95	-
Suriname <sup>23</sup>	AD 11.12.87	A 11.12.87	AD 07.10.90	-	R 11.12.87	-	R 03.08.02	-
Trinidad and Tobago <sup>24</sup>	D 05.26.99	D 05.26.99	-	-	-	-	R 05.08.96	-
United States	F	-	-	-	-	-	-	-
Uruguay <sup>25</sup>	R 04.19.85	A 04.19.85	R 04.02.96	R 04.04.94	R 11.10.92	R 04.02.96	R 04.02.96	R 07.20.01
Venezuela <sup>26</sup>	R 08.09.77	A 06.24.81	S 01.27.89	R 10.06.93	R 08.26.91	01.19.99	R 02.03.95	R 09.28.06

R Ratification  
A Acceptance of the Jurisdiction of the Inter-American Court of Human Rights  
S Signature not followed by ratification  
D Date of denunciation of the American Convention on Human Rights  
AD Accesion

**1. Argentina:**

(Reservation and interpretative declarations made at the time of ratification)

The instrument of ratification was received at the General Secretariat of the OAS on September 5, 1984, with a reservation and interpretative declarations. The notification procedure of the reservation was taken in conformity with the Vienna Convention on the Law of Treaties signed on May 23, 1969.

The texts of the above-mentioned reservation and of the interpretative declarations are the following:

I. Reservation:

Article 21 is subject to the following reservation: "The Argentine Government establishes that questions relating to the Government's economic policy shall not be subject to review by an international tribunal. Neither shall it consider reviewable anything the national courts may determine to be matters of 'public utility' and 'social interest', nor anything they may understand to be 'fair compensation'."

II. Interpretative Declarations:

Article 5, paragraph 3, shall be interpreted to mean that a punishment shall not be applied to any person other than the criminal, that is, that there shall be no vicarious criminal punishment.

Article 7, paragraph 7, shall be interpreted to mean that the prohibition against "detention for debt" does not involve prohibiting the state from basing punishment on default of certain debts, when the punishment is not imposed for default itself but rather for a prior independent, illegal, punishable act.

Article 10 shall be interpreted to mean that the "miscarriage of justice" has been established by a national court.

Recognition of Competence

In the instrument of ratification dated August 14, 1984, and deposited with the General Secretariat of the OAS on September 5, 1984, the Government of Argentina recognizes the competence of the Inter-American Commission on Human Rights and on the jurisdiction of the Inter-American Court of Human Rights. This recognition is for an indeterminate period and on condition of reciprocity on all cases related to the interpretation or application of the Convention cited, with the partial reservation and bearing in mind the interpretative statements contained in the instrument of ratification.

The instrument of ratification further notes that the obligations undertaken by virtue of the Convention shall only be effective as regards acts that have occurred after the ratification of the above-mentioned instrument.

**2. Bahamas:**

Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women "Convention Of Belém Do Pará"

(Declaration made at the time of signature)

Article 7(g) of the Convention imports no obligation upon the Government of the Commonwealth of The Bahamas to provide any form of compensation from public funds to any woman who has been subjected to violence in circumstances in which liability would not normally have been incurred under existing Bahamian law.

**3. Barbados:**

(Reservations made at the time of ratification)

The instrument of ratification was received at the General Secretariat of the OAS on November 5, 1981, with reservations. Notification of the reservations submitted was given in conformity with the Vienna Convention on the Law of Treaties, signed on May 23, 1969. The twelve-month period from the notification of said reservations expired on November 26, 1982, without any objection being raised to the reservations.

The text of the reservations with respect to Articles 4(4), 4(5) and 8(2) (e), is the following:

In respect of 4(4) the criminal code of Barbados provides for death by hanging as a penalty for murder and treason. The Government is at present reviewing the whole matter of the death penalty which is only rarely inflicted but wishes to enter a reservation on this point inasmuch as treason in certain circumstances might be regarded as a political offence and falling within the terms of section 4(4)

In respect of 4(5) while the youth or old age of an offender may be matters which the Privy Council, the highest Court of Appeal, might take into account in considering whether the sentence of death should be carried out, persons of 16 years and over or over 70 years of age may be executed under Barbadian law.

In respect of 8(2)(e) Barbadian law does not provide as a minimum guarantee in criminal proceeding any inalienable right to be assisted by counsel provided by the state. Legal aid is provided for certain scheduled offences such as homicide, and rape.

#### **4. Bolivia:**

##### Recognition of competence:

On July 27, 1993 the instrument of recognition of the competence of the Inter-American Court of Human Rights was deposited with the OAS General Secretariat, in accordance with Article 62 of the American Convention on Human Rights, with the following declaration:

I. The Constitutional Government of the Republic, under Article 59, paragraph 12, of the State Constitutional, by Law 1430 of February 11, approved and ratified the American Convention on Human Rights "Pact of San Jose", signed at San Jose, Costa Rica, on November 22, 1969, and recognized the competence of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, under Articles 45 and 62 of the Convention.

II. By virtue of the power vested in me under Article 96, paragraph 2, Constitution of the State, I issue this instrument ratifying the American Convention on Human Rights "Pact of San Jose", recognizing the competence of the Inter-American Commission on Human Rights, and recognizing as binding, *ipso facto*, unconditionally and indefinitely the jurisdiction of the Inter-American Court of Human Rights, under Article 62 of the Convention.

The Government of Bolivia in letter OAS/262/93, of July 22, 1993, made an interpretative declaration at the time of deposit of the instrument of recognition of the competence of the Inter-American Court of Human Rights. The text of the declaration is as follows:

"The Government of Bolivia declares that the norms of unconditionally and indeterminacy shall apply with strict observance to the Constitution of Bolivia, especially with respect to the principles of reciprocity, non retroactivity and judicial autonomy."

#### **5. Brazil:**

(Interpretative declaration made at the time of adhesion)

The Government of Brazil understands that Articles 43 and 48, (D) do not include the automatic right of on site visits and inspections by the Inter-American Commission of Human Rights, which will depend on the express consent of the State.

##### Recognition of competence:

The Government of the Federative Republic of Brazil declares its recognition as binding, for an indefinite period of time, *ipso jure*, of the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the American Convention on Human Rights, according to Article 62 of that Convention, on the condition of reciprocity, and for matters arising after the time of this declaration.

(Date: December 10, 1998)

##### Protocol to the American Convention on Human Rights to Abolish the Death Penalty

In ratifying the Protocol to Abolish the Death Penalty, adopted in Asunción on June 8, 1990, make hereby, in compliance with constitutional requirements, a reservation under the terms of Article 2 of the said Protocol, which guarantees states parties the right to apply the death penalty in wartime in accordance with international law, for extremely serious crimes of a military nature.

#### **6. Chile:**

(Declaration made at the time of signature)

The Delegation of Chile signs this Convention, subject to its subsequent parliamentary approval and ratification, in accordance with the constitutional rules in force. Such parliamentary approval was later granted and the instrument of ratification was deposited with the General Secretariat of the OAS.

(Reservations made at the time of ratification)

a) The Government of Chile declares that it recognizes, for an indefinite period of time and on the condition of reciprocity, the competence of the Inter-American Commission on Human Rights to receive and examine communications in which a State Party alleges that another State Party has committed a violation of the human rights established in the American Convention on Human Rights, as provided for in Article 45 of the Convention.

b) The Government of Chile declares that it recognizes as binding, *ipso facto*, the jurisdiction of the Court on all matters relating to the interpretation or application of the Convention in accordance with its Article 62.

In making these declarations, the Government of Chile places on record that this recognition of the competence and jurisdiction of the Commission applies to events subsequent to the date of deposit of this instrument of ratification or, in any case, to events which began subsequent to March 11, 1990. Moreover, in acknowledging the competence and jurisdiction of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, the Government of Chile declares that, when these bodies apply the provisions of Article 21.2 of the Convention, they may not make statements concerning the reasons of public utility or social interest taken into account in depriving a person of his property.

#### **Inter-American Convention to Prevent and Punish Torture**

(Reservations made at the time of ratification)

a) To Article 4, to the effect that, inasmuch as it alters the principle of "automatic obedience" established in Chile's domestic law, the Government of Chile will enforce the provisions of that international rule in respect of subordinate personnel subject to the jurisdiction of the Code of Military Justice, provided that execution of an order whose obvious intent is the perpetration of the acts stipulated in Article 2, is not demanded by the superior over the subordinate's representation.

b) With regard to the final paragraph of Article 13, because of the discretionary and subjective way in which the rule is drafted.

c) The Government of Chile states that in its relations with the countries of the Americas that are Parties to the present Convention, it will apply this Convention in those cases where there is incompatibility between its provisions and those of the Convention against torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, adopted by the United Nations in 1984.

d) With regard to the third paragraph of Article 8, since a case may only be submitted to the international fora whose competence has been recognized by the State of Chile.

#### Withdrawal of Reservations:

On August 21, 1990 deposited an instrument dated May 18, 1990, withdrawing the reservations formulated by the Government of Chile to Article 4 and to the final paragraph of Article 13 of the Convention.

### **7. Colombia**

#### Recognition of Competence:

On 21 June 1985 presented an instrument of acceptance by which recognizes the competence of the Inter-American Commission on Human Rights for an indefinite time, on the condition of strict reciprocity and nonretroactivity, for cases involving the interpretation or application of the Convention, and reserves the right to withdraw its recognition of competence should it deem this advisable. The same instrument recognizes the jurisdiction of the Inter-American Court of Human Rights, for an indefinite time, on the condition of reciprocity and nonretroactivity, for cases involving the interpretation or application of the Convention, and reserves the right to withdraw its recognition of competence should it deem this advisable.

### **8. Costa Rica**

#### Recognition of Competence:

Deposited on 2 July 1980 at the General Secretariat of the OAS an instrument recognizing the competence of the Inter-American Commission on Human Rights and the jurisdiction of the Inter-American Court of Human Rights, in accordance with Articles 45 and 62 of the Convention.

(Declaration and reservations made at the time of ratification)

1) That Costa Rica declares that it recognizes, without conditions and while the American Convention on Human Rights remains in effect, the competence of the Inter-American Commission to receive and examine communications in which a State Party alleges that another State Party has committed a violation of human rights established by the cited Convention.

2) That Costa Rica declares that it recognizes, without conditions and while the American Convention on Human Rights remains in effect, the mandatory jurisdiction of the Court, as a matter of law and without a specific convention on the Inter-American Court on Human Rights, on all cases relating to the interpretation or application of such multilateral treaty.

**9. Dominica:**

(Reservation made at the time of ratification)

On June 3, 1993, the Commonwealth of Dominica ratified the American Convention on Human Rights, with the following reservations:

1) Article 5. This should not be read as prohibiting corporal punishment administered in accordance with the Corporal Punishment Act of Dominica or the Juvenile Offenders Punishment Act.

2) Article 4.4. Reservation is made in respect of the words "or related common crimes".

3) Article 8.2.(e). This Article shall not apply in respect of Dominica.

4) Article 21.2. This must be interpreted in the light of the provisions of the Constitution of Dominica and is not to be deemed to extend or limit the rights declared in the Constitution.

5) Article 27.1. This must also be read in the light of our Constitution and is not to be deemed to extend or limit the rights declared by the Constitution.

6) Article 62. The Commonwealth of Dominica does not recognize the jurisdiction of the Court.

**10. Dominican Republic:**

(Declaration made at the time of signature)

The Dominican Republic, upon signing the American Convention on Human Rights, aspires that the principle pertaining to the abolition of the death penalty shall become purely and simply that, with general application throughout the states of the American region, and likewise maintains the observations and comments made on the aforementioned Draft Convention which it distributed to the delegations to the Council of the Organization of American States on 20 June 1969.

Recognition of jurisdiction

The Government of the Dominican Republic, by way of this instrument, declares that it recognizes as binding, as a matter of law, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the American Convention on Human Rights, of November 22, 1969.

Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities

On February 5, 2007, the Dominican Republic deposited its instrument of ratification of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. The Convention had been ratified by the Dominican Republic on December 28, 2006.

**11. Ecuador:**

(Declaration made at the time of signature)

The Delegation of Ecuador has the honor of signing the American Convention on Human Rights. It does not believe that it is necessary to make any specific reservation at this time, without prejudice to the general power set forth in the Convention itself that leaves the governments free to ratify it or not.

Recognition of Competence:

On July 24, 1984 recognized the applicability of Articles 45 and 62 of the American Convention on Human Rights, by Decree No. 2768 of July 24, 1984, published in the Registro Oficial No. 795 on July 27 of said month and year.

In addition, the Minister of Foreign Affairs of Ecuador made the following declaration on July 30, 1984, in conformity with Articles 45(4) and 62(2) of the above-mentioned Convention:

In keeping with the provisions of Article 45, paragraph 1, of the American Convention on Human Rights--Pact of San José, Costa Rica-- (ratified by Ecuador on October 21, 1977, and in force since October 27, 1977), the Government of Ecuador recognizes the competence of the Inter-American Commission on Human Rights to receive and examine communications in which a State Party alleges that another State Party has committed a violation of the human rights set forth in the Convention, under the terms provided for in paragraph 2 of that Article.

This recognition of competence is to be valid for an indefinite time and on condition of reciprocity.

As provided in Article 62, paragraph 1, of the Convention in reference, the Government of Ecuador declares that it recognizes as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the Convention.

This recognition of jurisdiction is for an indeterminate period and on condition of reciprocity. The Ecuadorian State reserves the right to withdraw its recognition of this competence and this jurisdiction whenever it may deem it advisable to do so.

## **12. El Salvador:**

(Declaration and reservations made at the time of ratification)

The present Convention is ratified, its provisions being interpreted to mean that the Inter-American Court of Human Rights shall have jurisdiction to hear any case that can be submitted to it, either by the Inter-American Commission on Human Rights or by any state party, provided that the State of El Salvador, as a party to the case, recognizes or has recognized such jurisdiction, by any of the means and under the arrangements indicated in the Convention.

The American Convention on Human Rights, known as the "Pact of San José, Costa Rica", signed at San José, Costa Rica, on 22 November 1969, composed of a preamble and eighty-two articles, approved by the Executive Branch in the Field of Foreign Affairs by Agreement 405, dated June 14 of the current year, is hereby ratified, with the reservation that such ratification is understood without prejudice to those provisions of the Convention that might be in conflict with express precepts of the Political Constitution of the Republic.

The instrument of ratification was received at the General Secretariat of the OAS on 23 June 1978 with a reservation and a declaration. The notification procedure of the reservation was taken in conformity with the Vienna Convention on the Law of Treaties signed on 23 May 1969.

### Recognition of Competence deposited on June 6, 1995:

I. The Government of El Salvador recognizes as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights, in accordance with Article 62 of the American Convention on Human Rights, "Pact of San José."

II. The Government of El Salvador, in recognizing that competence, expressed that its recognition is for an indefinite period and on condition of reciprocity, and that it retains the right to include exclusively subsequent deeds or juridical acts or deeds or juridical acts began subsequent to the date of deposit of this declaration of acceptance, by reserving the right to withdraw its recognition of competence whenever it may deem it advisable to do so.

III. The Government of El Salvador recognizes the competence of the Court, insofar as this recognition is compatible with the provisions in the constitution of the Republic of El Salvador.

## **13. Grenada:**

By way of an instrument dated July 14, 1978, the Prime Minister and the Minister of Foreign Affairs of this state ratified the American Convention on Human Rights on its behalf.

## **14. Guatemala:**

(Reservation made at the time of ratification)

The Government of the Republic of Guatemala ratifies the American Convention on Human Rights, signed at San José, Costa Rica, on 22 November 1969, with a reservation as to Article 4, paragraph 4 thereof, since the Constitution of the Republic of Guatemala, in its Article 54, only excludes the application of the death penalty to political crimes, but not to common crimes related to political crimes.

The instrument of ratification was received at the General Secretariat of the OAS on 25 May 1978 with a reservation. The notification procedure of the reservation was taken in conformity with the Vienna Convention on the Law of Treaties signed on 23 May 1969.

Withdrawal of Guatemala's reservation:

The Government of Guatemala, by Government Agreement N° 281-86, dated 20 May 1986, has withdrawn the above-mentioned reservation, which was included in its instrument of ratification dated 27 April 1978, considering that it is no longer supported by the Constitution in the light of the new legal system in force. The withdrawal of the reservation will become effective as of 12 August 1986, in conformity with Article 22 of the Vienna Convention on the Law of Treaties of 1969, in application of Article 75 of the American Convention on Human Rights.

Recognition of Competence:

On 9 March 1987, presented at the General Secretariat of the OAS, the Government Agreement N° 123-87, dated 20 February 1987, of the Republic of Guatemala, by which it recognizes the jurisdiction of the Inter-American Court of Human Rights, in the following terms:

"(Article 1) To declare that it recognizes as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the American Convention on Human Rights."

"(Article 2) To accept the competence of the Inter-American Court of Human Rights for an indefinite period of time, such competence being general in nature, under terms of reciprocity and with the reservation that cases in which the competence of the Court is recognized are exclusively those that shall have taken place after the date that this declaration is presented to the Secretary General of the Organization of American States."

**Inter-American Convention on Forced Disappearance of Persons**

Pursuant to Article XIX of the Convention, the Republic of Guatemala, upon ratifying the Convention, formulates a reservation regarding the application of Article V thereof, since Article 27 of its Political Constitution establishes that "extradition proceedings, for political crimes shall not be instituted against Guatemalans, who shall in no case be handed over to a foreign government, except as provided in treaties and conventions concerning crimes against humanity or against international law," and that for the time being, there is no domestic Guatemalan legislation governing the matter of extradition.

Withdrawal of the reservation regarding the application of article V made at the time of the reservation (September 7, 2001).

**Inter-American Convention To Prevent And Punish Torture**

(Reservation made at the time of signature)

The Republic of Guatemala does not accept the application nor shall it apply the third paragraph of Article 8, because in conformance with its domestic legal procedures, when the appeals have been exhausted, the decision acquitting a defendant charged with the crime of torture becomes final and may not be submitted to any international fora.

Withdrawal of Reservations: On October 1, 1990, deposited at the General Secretariat, an instrument dated August 6, 1990, withdrawing the reservation made by the Government of Guatemala at the time of signing the Convention and reiterated at the time of ratifying it on December 10, 1986.

**15. Haiti:**

By way of an instrument dated September 14, 1977, the President of this state, in accordance with Article 93 of its national constitution, ratified the American Convention on Human Rights, promising that it would be strictly observed.

Recognition of Competence:

Having seen the Constitution of the Republic of 1987; and

Having seen the law dated August 18, 1979, whereby the Republic of Haiti ratified the American Convention on Human Rights.

Hereby declare that we recognize as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the Convention. This declaration has been issued for presentation to the General Secretariat of the Organization of American States, which shall transmit copies thereof to the other member states of the Organization and to the Secretary of the Court, pursuant to Article 62 of the Convention.

Attached to the present declaration is the law of August 18, 1979, whereby the Republic of Haiti ratified the American Convention on Human Rights, which was promulgated in the Official Journal of the Republic.

Done in the National Palace, in Port-au-Prince, on March 3, 1998, the 195th year of independence.

**16. Honduras:**

Recognition of Competence:

On 9 September 1981, presented at the General Secretariat of the OAS, an instrument recognizing the jurisdiction of the Inter-American Court of Human Rights in accordance with Article 62 of the Convention.

**17. Jamaica:**

Recognition of Competence:

The instrument of ratification, dated July 19, 1978, states, in conformity with Article 45, paragraph 1 of the Convention, that the Government of Jamaica recognizes the competence of the Inter-American Commission on Human Rights to receive and examine communications in which a State Party alleges that another State Party has committed a violation of a human right set forth in this Convention.

**18. Mexico:**

(Declarations and reservation made at the time of ratification)

The instrument of accession was received at the General Secretariat of the OAS on 24 March 1981, with two interpretative declarations and one reservation. Notification of the reservation submitted was given in conformity with the provisions of the Vienna Convention on the Law of Treaties, signed on 23 May 1969. The twelve-month period from the notification of said reservation expired on 2 April 1982, without any objection being raised to the reservation.

The texts of the interpretative declarations and the reservation are the following:

Interpretive Declarations:

With respect to Article 4, paragraph 1, the Government of Mexico considers that the expression "in general" does not constitute an obligation to adopt, or keep in force, legislation to protect life "from the moment of conception," since this matter falls within the domain reserved to the States.

Furthermore, the Government of Mexico believes that the limitation established by the Mexican Constitution to the effect that all public acts of religious worship must be performed inside places of public worship, conforms to the limitations set forth in Article 12, paragraph 3. This interpretive declaration was withdrawn on April 9, 2002.

Reservation:

The Government of Mexico makes express reservation to Article 23, paragraph 2, since the Mexican Constitution provides, in Article 130, that ministers of denominations shall not have an active or passive vote, nor the right to associate for political purposes.

Declaration for Recognition of the Jurisdiction of the Inter-American Court of Human Rights

1. The United States of Mexico recognizes as binding *ipso facto* the adjudicatory jurisdiction of the Inter-American Court of Human Rights on matters relating to the interpretation or application of the American Convention on Human Rights, in accordance with article 62.1 of the same, with the exception of cases derived from application of article 33 of the Political Constitution of the United States of Mexico

2. Acceptance of the adjudicatory jurisdiction of the Inter-American Court of Human Rights shall only be applicable to facts or juridical acts subsequent to the date of deposit of this declaration, and shall not therefore apply retroactively.

3. Acceptance of the adjudicatory jurisdiction of the Inter-American Court of Human Rights is of a general nature and shall continue in force for one year after the date of which the United States of Mexico gives notice it has denounced it.



## **Inter-American Convention on Forced Disappearance of Persons**

Reservation made when depositing the instrument of ratification (April 9, 2002)

"The Government of the United Mexican States, upon ratifying the Inter-American Convention on the Forced Disappearance of Persons adopted in Belem, Brazil on June 9, 1994 makes express reservation to Article IX, inasmuch as the Political Constitution recognizes military jurisdiction when a member of the armed forces commits an illicit act while on duty. Military jurisdiction does not constitute a special jurisdiction in the sense of the Convention given that according to Article 14 of the Mexican Constitution nobody may be deprived of his life, liberty, property, possessions, or rights except as a result of a trial before previously established courts in which due process is observed in accordance with laws promulgated prior to the fact."

Interpretative declaration made when depositing the instrument of ratification (April 9, 2002)

"Based on Article 14 of the Political Constitution of the United Mexican States, the Government of Mexico declares, upon ratifying the Inter-American Convention on the Forced Disappearance of Persons adopted in Belem, Brazil on June 9, 1994, that it shall be understood that the provisions of said Convention shall apply to acts constituting the forced disappearance of persons ordered, executed, or committed after the entry into force of this Convention."

Protocol to the American Convention on Human Rights to Abolish the Death Penalty

On June 28, 2007, Mexico ratified the Protocol to the American Convention on Human Rights to Abolish the Death Penalty; Mexico deposited its instrument of ratification on August 20, 2007.

### **19. Nicaragua:**

#### Recognition of Competence:

On February 12, 1991, presented at the General Secretariat of the OAS, an instrument dated January 15, 1991, by which the Government of Nicaragua declares:

I. The Government of Nicaragua recognizes as binding as of right with no special convention the competence of the Inter-American Court of Human Rights in all cases involving interpretation and application of the Inter-American Convention on Human Rights, "Pact of San Jose, Costa Rica," by virtue of Article 62(1) thereof.

II. The foregoing notwithstanding, the Government of Nicaragua states for the record that its acceptance of the competence of the Inter-American Court of Human Rights is given for an indefinite period, is general in character and grounded in reciprocity, and is subject to the reservation that this recognition of competence applies only to cases arising solely out of events subsequent to, and out of acts which began to be committed after, the date of deposit of this declaration with the Secretary General of the Organization of American States.

On February 6, 2006, Nicaragua delivered a note to the General Secretariat in which it reported that the Government of the Republic of Nicaragua had added a third paragraph to the Declaration No. 49 of January 15, 1991 regarding the American Convention on Human Rights, in which it declares that it recognizes the competence of the Inter-American Commission on Human Rights to receive and examine communications in which a State Party alleges that another State Party has committed a violation of a human right set forth in the Convention, as provided in Article 45 thereof.

### **20. Panama:**

#### Recognition of Competence:

On May 9, 1990, presented at the General Secretariat of the OAS, an instrument, dated February 20, 1990, by which it declares that the Government of the Republic of Panama recognizes as binding, *ipso facto*, the jurisdiction of the Court on all matters relating to the interpretation or application of the American Convention on Human Rights.

### **21. Paraguay:**

#### Recognition of Competence:

On March 11, 1993, Paraguay presented to the General Secretariat of the OAS an instrument recognizing the jurisdiction of the Inter-American Court of Human Rights, "for an indefinite period of time and which should be interpreted in accordance with the principles of International Law in the sense that this recognition refers expressly to acts that occurred after the deposit of this instrument and only for cases in which there exists reciprocity."

**22. Peru:**

Recognition of Competence and Jurisdiction

On January 21, 1981, an instrument issued by the Ministry of Foreign Affairs of the Republic of Peru, dated October 20, 1980, was presented to the OAS General Secretariat. The instrument states: "...As stipulated in paragraph 1 of Article 45 of the American Convention on Human Rights, or Pact of San José, Costa Rica (ratified by Peru on September 9, 1980), the Government of Peru recognizes the competence of the Inter-American Commission on Human Rights to receive and examine communications in which a state party alleges that another state party has committed a violation of a human right set forth in that Convention, as provided in paragraph 2 of that article. This recognition of competence is valid for an indefinite time and under the condition of reciprocity. As stipulated in paragraph 1 of Article 62 of the aforementioned Convention, the Government of Peru declares that its recognizes as binding, as a matter of law, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the Convention. This recognition of jurisdiction is valid for an indefinite time and under the condition of reciprocity ...."

Withdrawal of recognition of the contentious jurisdiction of the Inter-American Court of Human Rights

The Government of Peru, on July 8, 1999, declares:

In accordance with the American Convention on Human Rights, the Republic of Peru withdraws the declaration of recognition of the contentious jurisdiction of the Inter-American Court of Human Rights previously issued by the Peruvian Government under the optional clause pertaining to such recognition.

This withdrawal of recognition of the contentious jurisdiction of the Inter-American Court takes effect immediately and applies to all cases in which Peru has not replied to a complaint lodged with the Court.

Withdrawal of recognition of the contentious jurisdiction of the Court

The Government of Peru, on January 29, 2001, declares:

The recognition of the contentious jurisdiction of the Inter-American Court of Human Rights issued by Peru on October 20, 1980, is in full effect and is binding in all legal respects on the Peruvian state. Such effect should be understood as having been uninterrupted since the deposit of the declaration with the General Secretariat of the Organization of American States on January 21, 1981.

The Government of the Republic of Peru withdraws the declaration deposited on July 9, 1999, the intent of which was to withdraw the declaration of recognition of the contentious jurisdiction of the Inter-American Court of Human Rights under the optional clause pertaining to such recognition.

**23. Suriname:**

Accession.

Recognition of Competence:

On 12 November 1987, presented at the General Secretariat of the OAS, an instrument recognizing the jurisdiction of the Inter-American Court of Human Rights in accordance with Article 62 of the Convention.

**24. Trinidad and Tobago:**

(Reservations made at the time of accession)

1. As regards Article 4(5) of the Convention the Government of The Republic of Trinidad and Tobago makes reservation in that under the laws of Trinidad and Tobago there is no prohibition against the carrying out a sentence of death on a person over seventy (70) years of age.

2. As regards Article 62 of the Convention, the Government of the Republic of Trinidad and Tobago recognizes the compulsory jurisdiction of the Inter-American Court of Human Rights as stated in said article only to such extent that recognition is consistent with the relevant sections of the Constitution of the Republic of Trinidad and Tobago; and provided that any judgment of the Court does not infringe, create or abolish any existing rights or duties of any private citizen.

On May 26, 1998, the Republic of Trinidad and Tobago notified the Secretary General of the OAS of its denunciation of the American Convention. In accordance with Article 78(1) of the American Convention, the denunciation came into effect one year from the date of notification.

**25. Uruguay:**

(Reservation made at the time of signature)

Article 80.2 of the Constitution of Uruguay provides that a person's citizenship is suspended if the person is "under indictment on a criminal charge which may result in a penitentiary sentence." Such a restriction on the exercise of the rights recognized in Article 23 of the Convention is not envisaged among the circumstances provided for in Article 23, paragraph 2, for which reason the Delegation of Uruguay expresses a reservation on this matter.

(Reservation made at the time of ratification)

With the reservation made at the time of signature. Notification of this reservation was given in conformity with the Vienna Convention on the Law of Treaties, signed on May 23, 1969.

Recognition of Competence:

In the instrument of ratification dated March 26, 1985 and deposited with the General Secretariat of the OAS on April 19, 1985, the Government of the Oriental Republic of Uruguay declares that it recognizes the competence of the Inter-American Commission on Human Rights for an indefinite period and of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of this Convention, on the condition of reciprocity, in accordance with Articles 45.3 and 62.2 of the Convention.

**26. Venezuela:**

(Reservation and declaration made at the time of ratification)

Article 60, paragraph 5 of the Constitution of the Republic of Venezuela establishes that: No one may be convicted in a criminal trial without first having been personally notified of the charges and heard in the manner prescribed by law. Persons accused of an offense against the *res publica* may be tried *in absentia*, with the guarantees and in the manner prescribed by law. Such a possibility is not provided for in Article 8, paragraph 1 of the Convention, and for this reason Venezuela formulates the corresponding reservations, and,

DECLARES: That, in accordance with the provisions of Article 45, paragraph 1 of the Convention, the Government of the Republic of Venezuela recognizes the competence of the Inter-American Commission on Human Rights to receive and examine communications in which a State Party alleges that another State Party has committed violations of human rights set forth in that Convention, in the terms stipulated in paragraph 2 of that article. This recognition of competence is made for an indefinite period of time.

The instrument of ratification was received at the General Secretariat of the OAS on 9 August 1977 with a reservation and a declaration. The notification procedure of the reservation was taken in conformity with the Vienna Convention on the Law of Treaties signed on 23 May 1969.

Recognition of Competence:

On 9 August 1977 recognized the competence of the Inter-American Commission on Human Rights and on 24 June 1981 recognized the jurisdiction of the Inter-American Court of Human Rights, in accordance with Articles 45 and 62 of the Convention, respectively.