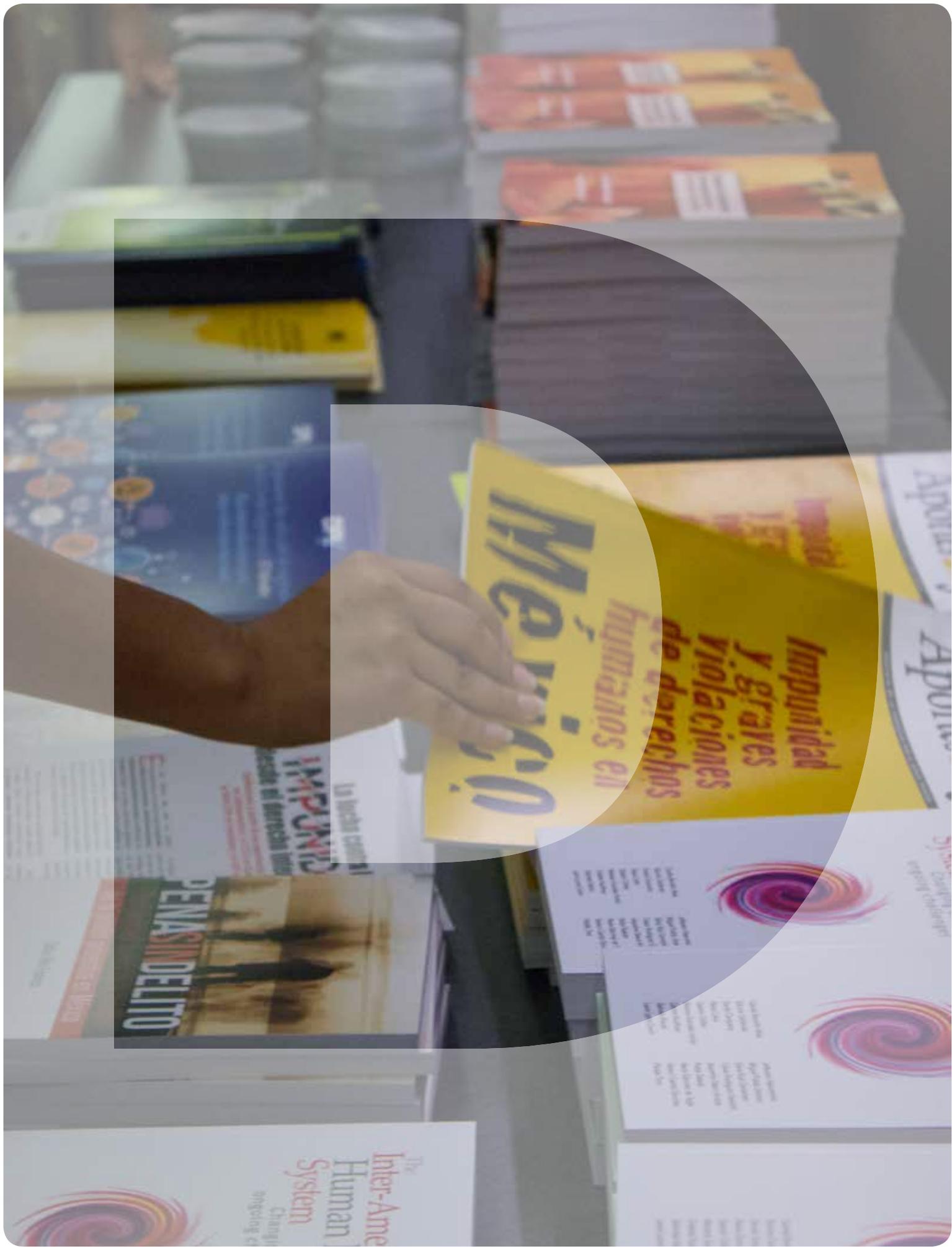


INSTITUTIONAL REPORT 2012-2017





Máximo

Impunidad y graves violaciones de derechos humanos en

Apuntes

PENASIM DELITO

The Inter-American Human Rights System



Message from our President and Executive Director

Dear friends and colleagues:

In 2017, the Due Process of Law Foundation (DPLF) celebrated its **20th anniversary**. For two decades, we have worked with judiciaries, other state institutions, and civil society groups throughout Latin America to overcome acute human rights challenges by providing technical assistance, sharing comparative experiences and lessons learned, and promoting collaborative cross-border partnerships.

Rooting our work in **international law and standards**, DPLF has published vital analyses and original research aimed at fostering judicial independence and encouraging the fight against impunity, especially for grave human rights violations. Through this work, we have sought to identify and fill research gaps to provide **practical answers to regional problems**. Diverse actors including activists, government officials, and judges frequently use our publications.

Our journey began when Professor Thomas Buergenthal and his colleagues from the UN-backed Truth Commission for El Salvador released their final report *From madness to hope: the 12-year war in El Salvador*, which highlighted the need for efficient and independent judiciaries to protect human rights. Based on these findings, Professor Buergenthal established DPLF to promote judicial independence throughout the region.

Over time, as we came to understand the role of entrenched impunity as a barrier to justice, DPLF expanded our programming to include the fight against impunity for grave human rights violations of the past and present, as well as human rights and extractive industries. Our program work enabled us to address the region's most pressing and emerging human rights challenges. Likewise, DPLF leads the charge in urging for new Inter-American standards addressing these issues, and disseminating the ones already established throughout the region.

While our mandate covers the whole region, we periodically identify certain countries where our expertise fills a specific and pressing need. Over the past few years Mexico and El Salvador have been priority countries for DPLF. The 2016 Supreme Court decision declaring the Amnesty Law unconstitutional in El Salvador created new opportunities to address the entrenched impunity that has plagued that country for decades. Likewise, the human rights crises in Mexico and the unprecedented coordinated work being carried out by local civil society groups in response created a demand for DPLF's technical expertise. We invite you to peruse this report to learn more about how our research and advocacy work has supported colleagues throughout Latin America in their fight for the rule of law and respect for human rights.

The work carried out over the past 20 years would not have been possible without the continued support of key individuals, foundations, and agencies. DPLF is grateful for this support and we look forward to continuing our joint efforts to create a Latin America where justice is a reality for all and in particular for those most vulnerable in our societies.

Sincerely,

Naomi Roht-Arriaza
Board President

Katya Salazar
Executive Director



Training in Mexico on international mechanisms to address human rights violations by extractive businesses.

Mission & History



DPLF Executive Director
Katya Salazar

DPLF envisions a Latin America where civil society participates fully in the consolidation of the rule of law—using national and international legal instruments.

Mission

DPLF is a 501(c)(3) nonprofit, nongovernmental organization based in Washington, D.C., that works to strengthen the rule of law and promote respect for human rights in Latin America through applied research, strategic alliances and advocacy activities with local actors, and effective communication of our messages throughout the region. DPLF envisions a Latin America where civil society participates fully in the consolidation of the rule of law—using national and international legal instruments—and where judicial institutions are independent, transparent, accessible, and able to fulfill their role in strengthening democracy.

History

DPLF was founded in 1996 by Professor Thomas Buergenthal and his colleagues from the United Nations Truth Commission for El Salvador. They were convinced that human rights could only be guaranteed by strong and independent national judicial systems, and so they created an organization dedicated to the promotion of the rule of law and human rights in the Americas—DPLF. Comprised of professionals with a variety of nationalities, we use analysis and recommendations, cooperation with private and public organizations and institutions, exchanges of experiences, and advocacy efforts to fulfill our mission.



Professor
Thomas Buergenthal



DPLF Sr. Program Officer, Daniel Cerqueira.

What We Do



DPLF 20th Anniversary

We create opportunities for dialogue and discussion between civil society, government officials, and international human rights bodies.

Research

By carrying out investigations and producing reports, DPLF seeks to provide **clear solutions to common problems** in the region based on inter-American and international law. Our research gives us a solid foundation for our advocacy and technical work in the region.

Alliances and Advocacy

The diverse and growing challenges for human rights in Latin America inspire us to **work collaboratively with other organizations** to achieve a greater impact. Taking advantage of our location in Washington, D.C., we **create opportunities for dialogue and discussion** between international, regional, and local civil society, government officials, and international human rights bodies.

In alliance with other organizations, we coordinate **advocacy activities** before the Organization of American States (OAS) and the Inter-American Commission for Human Rights (IACHR), **denouncing human rights violations and affronts to the rule of law** in Latin America **and offer recommendations**. In one-on-one meetings, national and international events with civil society, government officials, and academia, we discuss and disseminate our research and analyses. Through *amicus curiae*, public statements and letters we express our concerns and raise awareness of grave human rights and rule of law issues that require immediate attention.



Yucatan Indigenous Lawyers Network



DPLF Board President, Professor Naomi Roht-Arriaza.

Program Areas



DPLF staff

Judicial Independence

The independence of the judiciary is a precondition for respect for the rule of law. It is necessary for unbiased enforcement of the law with respect to all persons and an essential component of a strong justice system. Transparency, access to judicial information, proper selection of judicial authorities, and the establishment of means to fight corruption from within and the ability of civil society to monitor from the outside should be recognized as fundamental requirements in any judiciary that promotes rule of law.

Human Rights and Extractive Industries

DPLF promotes the use of legal and institutional mechanisms at the national and international levels to resolve conflicts related to the extraction of natural resources, in accordance with international human rights norms and standards. The extraction of natural resources is an important source of income in Latin America. Therefore, states play a key role: they have the ability to promote and facilitate private investment in this field and to regulate it in accordance with existing national and international

frameworks. Similarly, corporations—both national and transnational—must pursue such investments within the framework of respect for domestic and international law.

Impunity and Grave Human Rights Violations

Redress for grave human rights violations of the past continues to be an unpaid debt in Latin America, with serious repercussions for victims and their families. Impunity for crimes of the past, and of the present, remains a problem as the region's judicial systems struggle to strengthen their independence and develop specialized capacities to investigate and prosecute atrocities. Thus, this Program seeks to strengthen criminal prosecutions, truth processes and reparation, and the preservation of memory in Latin America. It also promotes compliance with international standards and the use of Inter-American and international law to improve legislation, policies, and practices.

Strengthening the Inter-American System

The Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights form a fundamental regional framework for the protection and promotion of human rights in the Americas. OAS Member States created the system and charged it with safeguarding respect for the international human rights instruments that the States themselves have established and ratified. When exercising its mandate, this system has been attacked by some of the same States that created it. DPLF seeks to strengthen the System and maintain its legacy by promoting its independence and relevance to current human rights challenges in the region.



Inter-American Commission on Human Rights President Margarete May Macaulay, and Sonia Rubio, DPLF.

Independent expert panel to evaluate nominees to the IACHR (including DPLF Board member Miguel Sarre, far left).



Nienke Grossman

Elizabeth Salmón

Miguel Gutiérrez

Success Stories



DPLF's Sr. Program Officers Ramiro Orias and Mirte Postema (left & right); Camilo Sánchez, DeJusticia (center).

Selection of High Ranking Justice Officials

Our organization was one of the first to use [international standards on transparency and access to information to open the judiciary to public scrutiny](#). We were also pioneers in addressing the role of [selection processes of high court judges to protect judicial independence](#), and succeeded in placing this issue on the regional agenda. We are now using

those experiences to promote more transparent and merit-based [elections of other high-ranking justice officials](#), including the appointment of National General Prosecutors (Attorney Generals). Thanks to the dissemination of our [analysis](#) and sustained [advocacy](#) in the region and at the IACHR, these issues are now part of the regional agenda.



DPLF's Sr. Program Officer Ursula Indacochea.



DPLF Sr. Program Officers Leonor Arteaga in front of the El Salvador Supreme Court.

Human Rights and the Rule of Law in El Salvador

Due in part to our history, El Salvador is a priority country for DPLF, and we have provided extensive expert advice and mentoring to local groups, prosecutors, and judges; [facilitated partnerships and collaboration](#), reignited a commitment to prosecute cases from the armed conflict with the participation of victims, and [reinforced advocacy and litigation skills](#). These efforts were instrumental in the [Supreme Court's annulment of the amnesty law](#), progress in the El Mozote massacre case, the [establishment of a National Commission to search for those forcefully](#)

[disappeared during the country's armed conflict](#), and [a review of the Supreme Court selection process](#). We also helped return international attention to El Salvador: donors are coming back to fund local groups, and the UN Special Rapporteurs on the rights of displaced people and extrajudicial killings, the High Commissioner for Human Rights, and the IACHR Country Rapporteur all recently visited El Salvador. Working with civil society and government officials, we are currently addressing public security and police abuses.



DPLF team in El Salvador.



Rose Marie Belle Antoine, 2015 IACHR President, meets with indigenous leaders from the region in Panama.

Rights, Responsibilities, and Extractive Industries

DPLF's [reports](#), [IACHR public hearings](#), and [amicus curiae](#) succeeded in bringing international attention to the lack of respect for indigenous Peoples' right to free, prior, and informed consultation. Our unprecedented report on [The impact of Canadian mining in Latin America](#) raised awareness of the responsibility of home States of extractive transnational companies with

projects in Latin America, and contributed to the 2016 IACHR [report on indigenous Peoples, communities of African descendants, and extractive industries](#). The resulting new IACHR standards led [Canada to establish an Extractive Industries Ombudsman](#), and we continue to [disseminate and explain the new standards](#) throughout the region.



DPLF Sr. Program Officer Daniel Cerqueira.



Ensuring Qualified IAHRs Commissioners and Judges

After successfully mitigating an [aggressive attack on the Inter-American Human Rights System \(2012-2015\)](#), a pending issue was to ensure that the most qualified individuals are appointed to the Commission and Court. Thus, over the last few years, we have promoted a **Panel of Independent Experts to evaluate nominees to the Inter-American Human Rights Commission and Court**. The resulting Panels' reports ([2015](#) and [2017](#)) were essential in preventing

the election of the least qualified candidates, and establishing concrete recommendations for improving national nomination and OAS election processes of Commissioners and Judges. They also led to an [OAS resolution](#) which requires a public forum with the candidates and called for gender, geographic, ethnic, and legal systems (common and civil law countries) balance on the Court and Commission.



IACHR Commissioners during a thematic hearing.



Through investigations and the production of reports, DPLF seeks to provide clear solutions to common problems in the region based on inter-American and international law.

Publications



By publishing original research and analyses, DPLF seeks to provide clear solutions to common problems in the region based on Inter-American and international law. Our research gives us a solid foundation for our advocacy and technical work in the region. Our publications comply with high academic standards and are used for reference and as training materials by civil society organizations, judicial and other government officials, academics, students, and activists.

Our materials are published in Spanish and English – and now some are in Portuguese and French- with the goal of sharing the Latin American lessons learned and best practices with as wide an audience as possible.

Our publications are available for download free of charge from our Website

www.dplf.org

Staff List

(as of June 2018)

Katya Salazar
Executive Director

Laura Park
Director of Institutional
Development and Finance

Leonor Arteaga
Senior Program Officer

Daniel Cerqueira
Senior Program Officer

Ursula Indacochea
Senior Program Officer

Ramiro Orías
Senior Program Officer

Katharine Valencia
Program Officer

Marien Rivera
Program Officer

Hannah Odio
Programs Manager

Brittany Neihardt
Programs Assistant

Jean Carlos Baez
Programs Assistant

David Lovatón Palacios
Consultant / Project Coordinator

Sonia Rubio Padilla
Project Coordinator in El Salvador

Juan Carlos Sánchez
Technical Advisor in El Salvador

Xenia Hernández
Technical Advisor in El Salvador

Victoria Barrientos
Technical Assistant in El Salvador

Naayeli Ramírez-Espinosa
Project Consultant in the Yucatan
Peninsula

Tatiana Rincon
Editor and Legal Consultant

Luis Pásara
Senior Fellow



Board of Directors

Naomi Roht-Arriaza
President

Ariel E. Dulitzky
Vice President

Meg Roggensack
Treasurer

Walter Alban
Board Member

Miguel Sarre
Board Member

Financial Statements

DPLF Statement of Activities

	2012 (audited)	2013 (audited)	2014 (audited)	2015 (audited)	2016 (audited)	2017 (audited)
Revenue & Support						
Grant Income	814,249	709,307	369,267	1,187,814	1,778,106	1,051,023
Contract Income	14,224	7,000	180,397	223,070	238,288	226,388
Contributions	6,805	1,397	2,341	4,728	4,086	4,169
Other Income	560	584	4,038	16,384	9,650	843
Total Revenue & Support	\$835,838	\$718,828	\$556,043	\$1,431,996	\$2,030,755	\$1,282,423
Expenses						
Program Services	777,040	831,426	802,568	1,103,331	1,325,731	1,533,859
Supporting Services						
General & administrative	93,161	66,389	91,005	108,233	152,113	153,757
Fundraising	45,794	35,866	65,547	27,735	27,548	30,499
<i>Total Supporting Services</i>	138,955	102,255	156,552	135,968	179,661	184,256
Total Expenses	\$915,995	\$933,681	\$959,120	\$1,239,299	\$1,505,392	\$1,718,115

DPLF Balance Sheet

Assets						
Cash and equivalents	558,098	385,356	211,910	194,215	510,395	346,721
Grants & contributions receivable	175,861	114,419	233,726	423,894	311,390	198,900
Prepaid expenses and other assets	17,310	26,644	11,155	17,315	21,530	17,804
Property & equipment						
Office furniture & equipment	70,067	70,067	71,821	74,662	73,024	84,518
Less accumulated depreciation	-18,211	-30,008	-40,501	-48,535	-51,078	-61,303
Book value of property equipment	51,856	40,059	31,320	26,127	21,946	23,215
Other Assets						
Security Deposit	5,231	5,231	5,231	5,231	5,231	5,231
Total Assets	\$808,356	\$571,709	\$525,440	\$666,782	\$1,221,013	\$772,718
Liabilities & Net Assets						
Current Liabilities						
Accounts payable & deferred contract revenue	60,211	38,894	101,102	49,747	79,215	66,612
Other current liabilities	483	0	600	600	0	0
<i>Total current liabilities</i>	60,694	38,894	101,702	50,347	79,215	66,612
Net Assets						
Temporarily restricted net assets	690,491	436,650	337,558	526,518	897,688	580,097
Unrestricted net assets	57,171	96,165	86,150	89,917	244,110	126,009
<i>Total Net Assets</i>	747,662	532,815	423,738	616,435	1,141,798	706,106
Total Liabilities & Net Assets	\$808,356	\$571,709	\$525,440	\$666,782	\$1,221,013	\$772,718



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