University of Notre Dame
Reparations Design and Compliance Lab
Inter-American Commission on Human Rights Project

IACHR Merits Reports Dataset

Codebook and Coding Rules

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This database covers the universe of cases for which the Inter-American Commission on Human Rights has published reports on the merits from 1992 to 2019. Thus, this database does not include private merits reports that the IACHR issued under Article 50 of the American Convention on Human Rights, but did not publish according to Article 51. The units of analysis are recommendations issued in the reports.

1. Information for the Case

cowcode: Correlates of War country code: https://correlatesofwar.org/data-sets/cow-country-codes

ccode: three-letter country code (International Organization for Standardization, ISO alpha-3)

Antigua and Barbuda	ATG	Guyana	GUY
Argentina	ARG	Haiti	HTI
The Bahamas	BHS	Honduras	HND
Barbados	BRB	Jamaica	JAM
Belize	BLZ	Mexico	MEX
Bolivia	BOL	Nicaragua	NIC
Brazil	BRA	Panama	PAN
Canada	CAN	Paraguay	PRY
Chile	CHL	Peru	PER
Colombia	COL	Saint Kitts and Nevis	KNA
Costa Rica	CRI	Saint Lucia	LCA
Cuba	CUB	Saint Vincent and the Grenadines	VCT
Dominica (Commonwealth of)	DMA	Suriname	SUR
Dominican Republic	DOM	Trinidad and Tobago	TTO
Ecuador	ECU	United States of America	USA
El Salvador	SLV	Uruguay	URY
Grenada	GRD	Venezuela (Bolivarian Republic)	VEN
Guatemala	GTM		

state: full name of defendant state; should match ccode (ex. CHL = Chile).
Note: the equivalent column in SIMORE is called **GeographicReach**.[1]

[1] See: IACHR. *SIMORE*. https://www.oas.org/ext/es/derechos-humanos/simore/Recomendaciones?V=1&filter-Mechanism1=55&search3322=%20&page3322=1&size3322=12 (11/10/2020).

SubMechanism: identification of merits report; extracted from SIMORE.[2]
For example, for Merits Report No. 83/09, SubMechanism = 'Merits Report 83/09'

meritsnum: Number of the merits report within the year. (*Numeric variable, three digits*)
For example, for Merits Report No.: 83/09, meritsnum = 083

merits_init: Year of the initial merits report, which was privately communicated to the state and petitioners.
Note: -9 indicates that year is unavailable.

merits_pub: Year of the merits report publication. (*Numeric variable*), from 1992 to 2019
For example, for Merits Report No.: 83/09, merits = 2009

case: Case number. (*Numeric variable*)
Enter the case number without the dot, e.g., 12450, not 12.450 (Excel will read this as 12.45)
If the IACHR consolidated multiple cases in a single merits report, list the case with the earliest admissibility report.

missingrecs: Does the merits report state clear recommendations? (*Numeric variable, one digit*).

1	The merits report states recommendations for the state (true for most cases).
2	The merits report presumably contained recommendations, but they are not available.
3	The merits report does not state recommendations for the state.

ncases: Number of cases covered by the merits report. (*Numeric variable*)
Modal number is 1, but some reports will refer to multiple cases.

victims: Names of the victims, as listed in the summary of the case of the IACHR factsheets.

petitioner: Names of petitioners, as listed in the summary of the case of the IACHR factsheets.
Note: Incomplete data

population: Specific group affected by the violations (e.g., women, LGTBIQ community, Indigenous peoples, among others). Extracted from SIMORE.[3]
Note: Incomplete data

crime_yr: year the crime that gave rise to the human rights violation took place:
- If violation was ongoing, crime_yr reflects earliest mentioned year.
- If multiple victims, crime_yr is the date corresponding to the earliest victim.

petition_yr: year the petition was filed at the Commission.

admissibility: Year of the admissibility report. (*Numeric variable*)
If multiple cases are consolidated in a single merits report, the year of the earliest admissibility report is listed. Blank indicates that the year is unavailable. This applies for those cases with merits reports published before 2000 or information not available.

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[2] See: IACHR. *SIMORE*. https://www.oas.org/ext/es/derechos-humanos/simore/Recomendaciones?V=1&filter-Mechanism1=55&search3322=%20&page3322=1&size3322=12 (11/10/2020).

[3] See: IACHR. *SIMORE*. https://www.oas.org/ext/es/derechos-humanos/simore/Recomendaciones?V=1&filter-Mechanism1=55&search3322=%20&page3322=1&size3322=12 (11/10/2020).

themes: Themes, as reported in the summary of the case of the IACHR factsheets.

Note: Incomplete data. Overlaps partially with **ThemeRight** from SIMORE. Records for *themes* and SIMORES's *ThemeRight* generally have a similar classification regarding the human rights violation type and the population affected (i.e., indigenous peoples, women, children). However, *themes* tends to employ more general definitions, whereas *ThemeRight* tends to be more specific.

issue: description of what took place (i.e. forced disappearance, murder of civilians, etc.)

Note: *issue* refers only to one type of human rights violation, considering the primary kind of breach. (Incomplete data)

crime_by: actor(s) that committed the human rights violation.

Note: Incomplete data

responsibility_from: actor(s) that gave rise to state responsibility for the human rights violation:

- If crime was committed by non-state actor (like a private citizen), then responsibility_from will usually be the police and/or courts, for failure to investigate or prosecute.
- If crime was committed by state actor, this variable should match crime_by.

pet_fs: coded 1 if the petitioner engaged or expressed interest in the friendly settlement process; 0 otherwise

- If no mention of the friendly settlement process, or if the petitioner did not respond, coded as 0

state_fs: coded 1 if the state engaged or expressed interest in the friendly settlement process; 0 otherwise

- If no mention of the friendly settlement process, or if state did not respond, coded as 0

agreement: Compliance agreement (*Numeric variable, one digit*)

0	No compliance agreement (true for most cases).
1	A compliance agreement was adopted to implement the recommendations of the IACHR.
blank	No information available. (Annual reports prior to 2001*)

Note: Even though the agreement may incorporate additional clauses to operationalize the Commissions' original recommendations, and even they may appear listed in Section II of the follow-up sheet, we will include the original recommendations in the database.

*The database only shows information on compliance and compliance agreements for merits reports published after 1999. Systematic information on compliance and compliance agreements started with the publication of follow-up factsheets in 2018. The earliest report under supervision was published in 1999.

agreement_yr: Year of the compliance agreement (only if agreement = 1, blank otherwise).

factsheet: 1 = The IACHR had posted a factsheet about the case by June 30, 2021.

closed: Year indicating when (and if) the case has been archived.

Annual updates: If this cell has information, there is no need for an update. If there was no prior information for this column, the year when the IACHR closed the case is the year of the Annual Report reporting on the decision.

If the case remains under supervision (most cases), the cell is left blank. A year reported in this cell usually means that all recommendations have received full compliance, or that supervision has been permanently suspended.

why_no_court: Commission's rationale for not sending the case onto the Court; if blank, the Commission gave no reason why it did not forward the case (this is common before 2000). (Not available for all cases)

state_resp: did the state respond to the Commission's initial report? Coded as 1 if the state at least acknowledged receipt; 0 if the Commission received no reply. (Not available for all cases)

comp_publish: level of compliance with the overall merits report at the time of publication.
(Not available for all cases)

0: non-compliance
1: partial compliance (state did at least part of one recommendation prior to publication of merits report)
2: full compliance (state did everything prior to the publication of merits report)

2. Information on Recommendations

Note: The database covers the universe of cases for which the Inter-American Commission on Human Rights has published reports on the merits from 1992 to 2019. Within this period, the database tracks compliance with the Commission´s recommendations from 2000 through 2018. Starting in 2001, the Inter-American Commission on Human Rights began to include information on compliance with specific recommendations in its Annual Report.[4]

recnum: Recommendation number (*Numeric variable, 2 digits*)

Number as listed in Section II of the follow-up sheet (Recommendations). Generally coincides with the ordering of recommendations in SIMORE.

recnum2: Recommendation duplicate number *(Numeric variable, 1 digit)*.

When a recommendation paragraph (identified with a unique number by recnum) contains several recommendations, it is disaggregated into several observations, to distinguish the types of recommendation (e.g., see reccode). Each record is assigned a different consecutive number.

recomm: Text of the recommendation.

Information generally coincides with variable **Description** in SIMORE,[5] or text of the recommendation, as listed in Section II of the follow-up sheet.

rtype_ct: Classification used by the Inter-American Court of Human Rights (*Numeric variable, 2 digits*)

10. Restitution
20. Rehabilitation
30. Satisfaction
40. Guarantees of non-repetition
50. Investigation and sanction

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[4] This decision was adopted according to the resolution AG/RES. 1828 (XXXI-O/01) "Evaluation of the Workings of the Inter-American System for the Protection and Promotion of Human Rights with a View to Its Improvement and Strengthening", through which "the OAS General Assembly invited the Commission and the Court to (…) consider the possibility of including in its annual reports information on compliance by the states with the recommendations, decisions, or judgments issued by the two organs in the period under consideration"; and to the article 46 of the Rules of Procedure of the IACHR, which entered into force on 1 May 2000. IACHR. Annual Report of the Inter-American Commission on Human Rights 2001, OEA/Ser./L/V/II.114, doc. 5 rev., 16 April 2002, paras. 62 and 64.

[5] See: IACHR. *SIMORE*. https://www.oas.org/ext/es/derechos-humanos/simore/Recomendaciones?V=1&filter-Mechanism1=55&search3322=%20&page3322=1&size3322=12 (11/10/2020).

61. Indemnification
62. Legal costs
99. Other

Coding rules:
10. *Restitution*: restore the situation as it was before the human rights abuse. Actions may include, but are not limited to, release of those detained, return of confiscated items, return of the victim to their home, restoration of a victim's job, or restoration of indigenous lands.
20. *Rehabilitation*: provide medical and/or psychological attention to victims.
30. *Satisfaction*: publicly recognize the damage done and the dignity of the victims. Actions may include, but are not limited to, a public act in memory of the victim; production and/or distribution of the Court's sentence; commemoration of the victims through monuments, street namings, or scholarships; housing for victims that have survived a massacre, or socioeconomic reparations to a group of victims through health or education programs. Orders to find the remains of disappeared people and return them to the families, and orders to stop death row executions, also fall in this category.
40. *Non-Repetition*: public policy meant to prevent the abuse from recurring. Actions may include, but are not limited to, strengthening institutional capacity of relevant actors (i.e. police forces, armed forces, the judiciary, health workers, etc.), societal education, adoption of new domestic laws, or measures related to the protection of specific victims.
50. *Investigation and sanctions for perpetrators*: removal of all *de facto* and *de jure* barriers to effective investigation of the case and prosecution of culprits of human rights violations.
61. *Indemnifications*: monetary compensation for damages done to the victims.
62. *Reimbursement of legal costs*: compensation for the costs of representation.
99. Other recommendations.

If a given recommendation involves two types, report the main type as indicated in the case memo.

rtype_simore: Classification of the recommendations by the IACHR.
Extracted from the column "Recommended Measures/Actions" in SIMORE.[6]

- Truth and Justice Measures
- Non-repetition or Structural Measures
- Compensation Measures
- Satisfaction Measures
- Rehabilitation Measures
- Measures in the Restoration of the Infringed Right

reccode: Classification of recommendations by Francesca Parente.

- **accessct:** allow petitioner access to contentious proceedings
- **acceptres:** accept petitioner's resignation from organization
- **admin:** administrative discipline for state agents
- **altjud:** provide alternative mechanisms to judicial mechanism to resolve disputes
- **appdomlaw:** ensure domestic laws (court decisions) are fully applied
- **applyil:** apply international law of some kind to the present situation
- **aware:** make other/potential future victims aware of the ruling and their rights
- **backpay:** pay victims money they were owed for the job they were removed from
- **comrtry:** commute the criminal sentence and/or retry the victim

[6] See: IACHR. *SIMORE*. https://www.oas.org/ext/es/derechos-humanos/simore/Recomendaciones?V=1&filter-Mechanism1=55&search3322=%20&page3322=1&size3322=12 (11/10/2020).

- **concproc:** conclude ongoing proceedings or lawsuits in domestic courts
- **consrt:** ensure arrestees are aware of consular rights
- **counsel:** ensure access to effective counsel in criminal cases
- **createjobs:** program to create jobs
- **ctcost:** reimburse costs and expenses
- **decision:** have domestic court make a decision on petitioner's allegation
- **defense:** provide for victim's right to defense/access to defense attorneys
- **dismillgrp:** take steps to dismantle illegal groups and/or prevent resurgence
- **dpdrugs:** ensure drugs are suitable for lethal injection
- **dpfam:** ensure inmates on death row have access to family members
- **dpmh:** ensure inmates on death row have been evaluated for mental health issues
- **dpsub:** guarantee that the substances used in the lethal injection are submitted to government approval and regulation, that the personnel in charge of the execution obtains adequate medical training and that lethal injection protocols are available to the public.
- **dpproc:** guarantee that persons sentenced to the death penalty have timely access to information regarding the exact procedures that will be followed during their execution, the substances and dose to be used and the makeup of the execution team, as well as the training received by the members thereof. Also, that the persons have the opportunity to contest before a court of law every aspect of the execution procedure.
- **edonrace:** implement education policy on racial discrimination
- **edonwomen:** implement education policy on women's rights, equality
- **edu:** provisions/scholarship for petitioner's (or next of kin) education
- **fasterj:** simplify criminal procedure to ensure faster justice
- **fightimp:** implement programs/strengthen state capacity to fight impunity
- **food:** provide monthly food packages to the family and/or food basics (like seed and fertilizer)
- **getback:** take measures to ensure return of national
- **helpdisp:** provide assistance to displaced people/help people move back
- **histmem:** take action to establish/recover historical memory of victim
- **house:** provide housing for petitioner
- **iachr:** accept jurisdiction of Inter-American Court to hear the case
- **identify:** take action to identify victims
- **impca:** implement points in compliance agreement
- **infraproj:** establish infrastructure project
- **ipp:** investigate, prosecute, and hold accountable any perpetrators
- **jobprotect:** ensure adequate protection for certain professionals doing job (like journalists)
- **judrev:** provide for judicial review in case
- **land:** provide/return land to petitioner
- **legalhelp:** take measures to provide legal assistance to national
- **mcprison:** provide medical care to prisoners
- **mdnxtkn:** pecuniary damages to petitioners' next of kin
- **med:** provide medical treatment to victims
- **moratorium:** apply moratorium on death penalty
- **mondam:** pecuniary damages to petitioners
- **nocoerce:** ensure confessions are given absent coercion
- **noinq:** prohibit employers from asking about something
- **nokill:** refrain from executing petitioner
- **noncitdep:** refrain from a non-citizen from its jurisdiction pursuant to the deportation order at issue in this case.
- **noncitret:** permit non-citizens to return to the State at its expense.
- **noncitreop:** reopen non-citizens' proceedings.

- **noncitdp:** allow a competent, independent immigration judge to apply a balancing test to non-citizens and pertinent rules of due process.
- **noncitlaw:** implement laws to ensure that non-citizen residents' human rights
- **nonpecmd:** non-pecuniary damages to petitioners
- **nonrep:** guarantee non-repetition (nothing specific)
- **nopub:** prevent publication of particular complaints/issues
- **nosc:** ensure inmates aren't in solitary confinement
- **npmdnk:** non-pecuniary damages to petitioners' next of kin
- **pension:** provide pension for petitioner
- **presp:** publicly accept responsibility
- **progrst:** establish programs aimed at restructuring stereotypes
- **protocol:** establish protocols for future action
- **protect:** provide physical protection to victim/family/witnesses
- **pubden:** publish denunciation of previous law/regulation
- **punishperps:** investigate, prosecute, and punish perpetrators who violated victims' rights subsequent to actions of state officials
  Note: ipp refers to the officials who put minors in with adults, **punishperps** refers to the adult inmates who hurt minors who were put in jail with.
- **ratic:** ratify international convention
- **recrem:** return victim's remains
- **redress:** redress harm to victims (nothing specific)
- **refdp:** reform due process procedures
- **reflaw:** reform existing laws
- **refmiljs:** reform military justice system
- **refpris:** reform prison/detention conditions
- **refreg:** reform regulations of institution
- **release:** release petitioners from detention
- **replaw:** repeal existing laws; nullify
- **resthonor:** take actions to restore victim's honor
- **restjob:** restore victim to previous job/rank/position, or allow victim to take a job he or she was previously denied
- **restprop:** return expropriated property
- **riunit:** establish unit for investigating racial discrimination complaints
- **rpunit:** establish prosecutor for racial discrimination cases
- **stopharass:** case campaign of harassment and/or defamation
- **supmil:** create some mechanism for supervising military police
- **svu:** create specialized unit to deal with victims of sexual/gender-based violence
- **trainhr:** provide training to state actors on human rights
- **transfer:** transfer petitioners from prison to house arrest, or from one prison to another
- **uncensor:** remove ban on censored material
- **unconvict:** set aside criminal conviction
- **vpolicy:** implement state policy to ensure prevention of violence against some group (women, rural workers, etc.)

Notice that information on compliance is unavailable for cases not covered in the factsheets (factsheet = 0). The earliest report on the merits for which data is available was published in 1999.

partial: Year of reported Partial compliance. (*Numeric variable*.)

Information through 2020, extracted from the IACHR's Annual Report factsheets and SIMORE (at June 2021). Researchers entered a year if the summary table in Section II reported "Partial compliance." This

was the year identified by the narrative as marking the event of partial compliance. This column is blank if (a) if the state never complied or (b) the state fully complied, without any previous report of partial compliance. If narrative involves multiple events, refer to the *earliest* year.

Annual updates: If there is already information in the cell, there is no need for an update. In case there is no previous information, once the IACHR determines partial compliance, the researchers should check the facts that allowed the IACHR to establish it.

full: Year of reported Total compliance. (*Numeric variable*.)

Information through 2020, extracted from the IACHR's Annual Report factsheets and SIMORE (June at 2021). Researchers entered a year if the summary table in Section II reported "Total compliance." This was the year identified by the narrative as marking the event for full compliance. This column is blank if (a) if the state never complied or (b) the state only displayed partial compliance. If narrative involves multiple events, refer to the *last* year.

Annual updates: If there is already information in the cell, there is no need for an update. In case there is no previous information, once the IACHR determines full compliance, the researchers should check the facts that allowed the IACHR to establish it.

Possible combinations of the two variables would depict four different situations:

partial	**full**	**Status of the recommendation:**
		No compliance (summary table reports Pending or Non-compliance)
2014		Partial compliance in 2014, no full compliance yet
	2016	The state complied in full in 2016, skipping partial compliance
2014	2016	The state complied partially in 2014, and in full by 2016

censored: Variable reflecting if (and when) monitoring of compliance has been suspended indefinitely. "Censoring" indicates that the recommendation has not received full compliance, but the IACHR explicitly closed the supervision process. In most cases, this column will be blank. If supervision was suspended, this column will report the year.

Annual updates: If this cell has information, there is no need for an update. If there was no prior information for this column, the year corresponds to the year of the Annual Report indicating that the Commission stopped the supervision of this recommendation.