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WCL's Acting Dean Grossman Elected to Human Rights Commission

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continued from previous page

that a state has an affirmative "legal duty . . . to use the means at its disposal to carry out a serious investigation of violations committed within its jurisdiction, to identify those responsible, and to impose the appropriate punishment . . ." The Commission had specifically called for a state inquiry into the murders as a form of nonpecuniary reparation for the victims.

The Court eventually awarded the victims' families U.S.\$450,000 in damages and required Suriname to compensate the families for the expenses incurred in locating the victims' bodies. The Court further determined that financial reparations were not sufficient and ordered the state to re-open the Saramaca medical dispensary and the school in the victims' village, and to staff both with personnel.

Nevertheless, the Court denied the Commission's request to require the Surinamese government to pay for the legal expenses incurred by the litigants in the course of the procedure before the Surinamese courts, the Inter-American Commission and the Court. Rather, it sided with Suriname that the litigants had filed no claim before the national courts and that the Commission accepted the case only fifteen days after the facts took place. Further, the Court agreed with Suriname that the Commission undertook unnecessary expense in employing external lawyers when it could have called upon the services of its own staff.

As the *Human Rights Brief* went to press, the Court handed down a decision in the *Gangaram Panday* case, also involving Suriname. The next issue of the newsletter will feature a review of this case as well as an interview with dean Claudio Grossman who represented the petitioners before the Court in both the *Aloboetoe et al.* and the *Gangaram Panday* cases. 🌐

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WCL's Acting Dean Grossman Elected to Human Rights Commission

The role of the Inter-American Commission on Human Rights is evolving, according to Claudio Grossman, acting dean of the Washington College of Law. Grossman was recently elected to the Commission, an organ of the Organization of American States (OAS).

Grossman says that the Commission played the role of a "fire fighter" in the 1970s. "There were many gross violations of human rights; arbitrary detentions, killings, and disappearances." The vast majority of member states of the OAS now have elected governments. While elected governments are not necessarily wholly democratic, their problems are generally different than those often associated with dictatorships, explains Grossman. For example, one issue is whether legislation adopted by the member states satisfies their obligations under the American Convention of Human Rights.

opening more accurate records of jurisprudence. Suggestions under consideration include the compilation of case reports similar to the Human Rights Year Books used in the European



WCL's Acting Dean
Claudio Grossman

Human Rights System, and the possibility of bringing the decisions on line in a network. This past session Grossman proposed that the Commission devote more time to women's issues. Grossman and the current Commission's chairman, Yale professor Michael Reisman, were named co-rapporteurs on the issue of whether current legislation in OAS member states satisfies the requirements on

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The Commission has jurisdiction over all OAS member states to receive individual complaints under either the American Convention, or, in the case of states, like the United States that have not ratified the Convention, the earlier American Declaration on Human Rights. The Commission also reports on the conditions of human rights in specific countries and can submit cases to the Inter-American Court of Human Rights if the state has accepted the Court's jurisdiction. Additionally, the Commission is responsible for reviewing annual reports from member states.

Grossman says the Commission is trying to expand its role by strengthening the body of precedent relied on in cases brought before it and by devel-

the treatment of women under the American Convention and the American Declaration. They will also jointly investigate whether the prison systems of member states meet the minimum human rights standards embodied in these documents.

Grossman joins the Commission with nearly 20 years' experience as a human rights advocate. He has participated in various on-site fact finding missions throughout the world. Grossman has also acted as a legal advisor to the Commission in compulsory proceedings before the Inter-American Court of Human Rights on the issues of disappearances in Honduras and human rights abuses against indigenous people in Suriname. 🌐