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Alumni Profile

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On November 2, 1998, the Inter-American Commission on Human Rights (Commission) appointed Santiago Alejandro Canton, LL.M. 1989, to the office of the Special Rapporteur for Freedom of Expression (Rapporteur). Prior to Canton’s appointment, there were only two other rapporteurs for freedom of expression worldwide: one under the United Nations, and one under the Organization for Security and Cooperation in Europe.

In the late 1990s, many members of the Organization of American States (OAS) voiced overwhelming concerns regarding freedom of expression violations in their countries. In October 1997, the Commission, an organ of the OAS, responded with the creation of the permanent office of the Rapporteur. At the April 1998 “Second Summit of the Americas” in Santiago, Chile, the heads of state of the OAS members adopted a Plan of Action calling on their governments to “[s]trengthen the exercise of and respect for all human rights and the consolidation of democracy, including the fundamental right to freedom of expression and thought, through support for the activities of the Inter-American Commission of Human Rights in this field, in particular the recently created Special Rapporteur for Freedom of Expression.” After evaluating many candidates, the Commission unanimously appointed Canton to the office of the Rapporteur at its 100th Regular Session on October 6, 1998.

One of Canton’s primary goals as the Rapporteur is to promote freedom of the press by protecting journalists in the OAS member states. Canton monitors cases in which journalists have been censored, imprisoned, tortured, or even murdered because of their work. The Annual Report of the Inter-American Commission on Human Rights (Report) details these and other freedom of expression violations. Canton submits the Report to the OAS General Assembly, comprised of the Foreign Ministers of the OAS member states. The 1999 Report documented 17 cases involving journalists who had been murdered in the Americas in 1998 alone. According to the Report, the Americas are “the most dangerous region of the world in which to practice the profession of journalism. In the past decade, there have been approximately 150 cases of murdered journalists, and many cases of physical attacks and threats.” In light of these facts, Canton’s 1999 Report recommends the OAS General Assembly institute “effective, serious and impartial judicial investigation[s]” into all cases involving the abuse or murder of journalists so perpetrators may be prosecuted. Although the Report is not legally binding, the Plan of Action adopted by the OAS at the “Second Summit of the Americas” evidences its commitment to support and integrate the recommendations made by the Rapporteur.

Canton also strives to ensure freedom of expression by drafting legal standards to serve as guidelines for lawyers and judges in the OAS member states. Since his appointment, Canton drafted the Declaration of Principles of Freedom of Expression (Declaration), which the Commission approved and adopted on October 19, 2000. The Declaration encourages the formation of laws establishing the right to seek public and private information, prohibiting censorship, and inhibiting violent or intimidating acts against people disseminating information through any mode of communication.

The Declaration addresses another major part of Canton’s work: the elimination of desacato laws (contempt laws) that penalize citizens for offensive expressions directed at public officials. Accord-