

FINAL REPORT OF THE INDEPENDENT PANEL
TO EVALUATE CANDIDACIES FOR THE
INTER-AMERICAN HUMAN RIGHTS SYSTEM BODIES

May 29, 2025

Members of the Panel SIDH 2025:

- Alejandro Chehtman
- Ariela Peralta
- Gabriela Rodríguez
- Juan Méndez
- Margarette Macaulay
- Robert Goldman

Evaluation of the Candidates

The Panel has evaluated the background and trajectory of each candidate in light of the requirements of the ACHR for the position of Commissioner of the IACHR, in accordance with the text of the treaty and the interpretation made by successive editions of the Independent Panel. A detailed description of the scope of each criterion used by the Panel can be found in Annex 2-a of this report.

Evaluation of the Candidate María Clara Galvis Patiño

New candidacies for election

Procedure before the Panel: Candidate María Clara Galvis Patiño, nominated by Colombia, responded to the questionnaire sent by the Panel Secretariat on April 19, 2025, and participated in the interview with the Panel on April 29, 2025. The Secretariat did not receive any communications from civil society organizations or from any other institution or individual regarding the candidate's background and profile.

a) High Moral Character

In her response to the questionnaire sent by the Panel, candidate Galvis Patiño stated that she had never been subject to disciplinary sanctions for professional misconduct. The Panel did not receive any information to the contrary. There is no record indicating any type of sanction, ethical breach, or professional impropriety.

b) Recognized competence in human rights

- *Academic background and professional experience*

According to her résumé, María Clara Galvis Patiño holds a law degree from the Universidad Externado de Colombia, a Diploma in constitutional law from the Universidad Nacional de Colombia, and is currently pursuing a Master's degree in Global Rule of Law and Constitutional Democracy at the Università degli Studi di Genova.

Galvis Patiño has teaching and research experience in various human rights and constitutional law subjects at institutions such as Universidad Externado de Colombia, American University Washington College of Law, Universidad Santo Tomás, and Pontificia Universidad Católica del Perú.

In Colombia, she has served as an auxiliary magistrate at the Special Jurisdiction for Peace, National Director of Human Rights Promotion and Dissemination at the Office of the Ombudsperson, auxiliary magistrate at the Superior Council of the Judiciary, advisor at the Office of the Inspector General, and attorney at the Office of International Affairs of the Attorney General's Office.

Internationally, she was elected as an independent expert and Vice-Chair of the United Nations Committee on Enforced Disappearances. She also worked in the United States as legal advisor for the Due Process of Law Foundation (DPLF) and as an attorney for the Center for Justice and International Law (CEJIL), representing victims of serious human rights violations before the IAHRs.

The candidate highlighted her participation as an expert witness before the Inter-American Court of Human Rights (IACtHR), at the request of the IACHR, to testify on the international responsibility of the State for acts of acquiescence in enforced disappearances in the case of *Núñez Naranjo v. Ecuador*.

Galvis Patiño informed the Panel of her membership in various associations, including the Executive Council of the International Network for Human Rights (RIDH), the Advisory Council – Academic Editorial Committee of the Berg Institute for Human Rights, the Advisory Council of the Consultancy for International Human Rights Law (ConDerechos), and the Colombian Association of International Law (ACOLDI).

- ***Knowledge of Inter-American standards and challenges of the IAHRs***

In her response to the Panel's questionnaire, candidate Galvis Patiño identified several key challenges facing the Inter-American Human Rights System (IAHRs), among which she emphasized the need to preserve the autonomy and independence of its principal bodies, which she views as increasingly threatened by attempts to influence their actions and decisions. In this context, she stated that the IACHR must uphold and strengthen the legal soundness and rigor of its decisions.

She further noted that the lack of universal adherence to international protection mechanisms—alongside growing calls for denunciation of the ACHR and withdrawal from the contentious jurisdiction of the Inter-American Court of Human Rights—constitutes an additional challenge. In her view, the IACHR should respond to this by promoting ratification of all Inter-American human

rights instruments and reinforcing its legitimacy as a collegial body that applies uniform standards to all States.

Galvis Patiño also highlighted the structural issue of insufficient funding for the IAHRs as a permanent challenge. In her view, the IACHR should diversify its funding sources and continue advocating for increased regular contributions.

Regarding the broader context of human rights protection, she pointed to increasing threats to democratic institutions as a significant concern. In her view, the IACHR should improve its early warning mechanisms to respond proactively and help prevent disruptions to democratic institutions. From a rights guarantee perspective, she also emphasized the ongoing challenges posed by judicial independence and the strengthening of domestic mechanisms for investigating and prosecuting human rights violations. In this regard, she argued that the IACHR should deepen its work in providing technical support, accompaniment, and capacity-building for domestic judicial and investigative bodies.

The Panel also asked Galvis Patiño about her views on interpretations of the ACHR made by the IACHR, and whether any should be revised. She responded that the Commission should improve its legal reasoning when characterizing certain situations as involving “terrorist practices.” In her opinion, international human rights and international criminal law offer categories that can adequately address the seriousness of certain violations without resorting to vague and legally undefined terms like “terrorist practices.”

On the role of the IACHR’s rapporteurships, she stated that the Commission and its rapporteurships must strike a balance between strengthening thematic expertise and preserving the Commission’s general protection mandate. She added that the rapporteurships should align their actions and decisions with the IACHR’s strategic plan, while also having sufficient autonomy to determine how they fulfill their objectives. She also acknowledged emerging protection concerns, such as the human rights impacts of artificial intelligence and new technologies, which could lead to increased pressure for the creation of new thematic rapporteurships. In her view, the Commission should carefully assess whether to create new rapporteurships or instead incorporate cross-cutting analytical perspectives to strengthen specialized protection without expanding the institution beyond its operational capacity.

Finally, she offered several suggestions for improving the functioning of the IACHR. On the duration of case processing, she proposed shortening the length of merits reports, drawing inspiration from the practices of United Nations treaty bodies. Regarding monitoring work, she recommended prioritizing reports that provide guidance to States in areas where normative parameters are limited, rather than reports that merely systematize existing standards already developed by the IACHR, the IACtHR, or academic institutions. She also suggested refining the prioritization of topics and recommendations in thematic and country reports.

- *Diligence and other relevant skills*

With regard to her availability as a Commissioner, candidate Galvis Patiño stated that, if elected, the only other activities she intends to pursue would be academic, primarily at the Universidad Externado de Colombia.

In relation to her knowledge of or experience working with legal systems other than that of her home country, Galvis Patiño responded affirmatively. She explained that her work on the UN Committee on Enforced Disappearances required an understanding of the legal systems of the States under the Committee's supervision in order to adopt concluding observations. She added that litigation and academic or advocacy research on human rights violations similarly require familiarity with various legal systems.

Regarding her language skills, she indicated that Spanish is her native language and that she has a high level of proficiency in both English and Italian.

c) Independence, impartiality and absence of conflicts of interest

The candidate stated that she does not perceive any conflict of interest that could affect her independence or impartiality, as she has not worked for any government—either her own or of another country—and she affirmed that she does not represent any individual from any OAS Member State in any case before the IACHR. Based on the information gathered, the Panel has not identified any affiliation on the part of the candidate with an organization that could present a relevant conflict of interest with respect to her candidacy.

She was specifically asked whether she had participated in civil society movements or organizations advocating for human rights and whether such involvement could pose a conflict of interest with her candidacy or the functions she would perform as Commissioner. Galvis Patiño responded that she has not been actively involved in civil society movements for human rights in the past fifteen years, and that the advisory roles she previously held were not with organizations in her home country, but in Peru, Bolivia, Chile, and Canada.

Likewise, she was asked whether she had served as a public official and whether that could pose a conflict of interest. The candidate replied that she worked for the Office of the Inspector General, the Office of the Attorney General, the Ombudsperson's Office (as National Director of Human Rights Promotion and Dissemination), and the judiciary, as assistant magistrate to the Superior Council of the Judiciary and to the Special Jurisdiction for Peace. She clarified that none of the functions she performed pose any conflict of interest with her candidacy and reiterated that she has not served in executive government positions.

d) Contribution to the balanced and representative composition of the organization.

Candidate Galvis Patiño emphasized that her lifelong commitment to the defense of human rights and her broad experience at the national, Inter-American, and universal levels would allow her to contribute significantly to the work of the IACHR. She added that another important asset stems from her experience engaging with all the actors with whom the IACHR interacts: victims of human rights violations, States, civil society organizations, and academia.

Without prejudice to the specific contributions mentioned by Galvis Patiño in her questionnaire response, the Panel also takes into account, in evaluating this criterion, the balanced composition of the organs of the Inter-American Human Rights System, in terms of gender and the representation of different geographic regions, population groups, and legal systems of the hemisphere.

e) National nomination process

In her questionnaire response, the candidate stated that there is no pre-established procedure in Colombia for selecting candidates to serve on international human rights bodies. She added that, to her knowledge, neither civil society nor academia plays any role in the nomination process, as the decision is made by the President of the Republic.

Galvis Patiño indicated that her résumé was requested by several acquaintances in order to be submitted to the President. Subsequently, the Vice Minister of Multilateral Affairs contacted her to confirm her interest in being nominated as the government's candidate. After she confirmed her interest, her nomination was publicly announced by the President via social media.

In the interview with the Panel, the candidate expressed that it is necessary to establish an open, transparent, and public process at the national level, in which different relevant actors can provide input.

Conclusion

The Panel concludes that the candidate María Clara Galvis Patiño meets the evaluation criteria set forth in the Inter-American instruments to be elected as a Commissioner of the IACHR.

The Panel considers that the candidate's previous experience in litigation before the Inter-American Human Rights System, her role as an expert witness before the Inter-American Court of Human Rights, as well as her work with the UN Committee on Enforced Disappearances, will enable her to successfully adapt to the work of the IACHR.

She also demonstrated a strong substantive knowledge of human rights and a deep understanding of the current challenges facing the IAHRs, for which she proposed various approaches.

The Panel did not identify any impediment that could compromise the candidate's independence or impartiality in a manner that would disqualify her from being elected Commissioner of the IACHR.

The Panel highlights the contribution this candidacy would make to achieving gender parity within the IACHR.

The Panel notes that Colombia does not have a public and participatory nomination mechanism for appointments to IAHRs bodies, and that the authorities directly designated Galvis Patiño's candidacy.