

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 Marion Bethel**

#### **New candidacies for election**

**Procedure before the Panel:** Candidate Marion Bethel, nominated by The Bahamas, responded to the questionnaire sent by the Panel Secretariat on April 18, 2025, and participated in the interview with the Panel on May 2, 2025. The Secretariat received a communication from a civil society organization regarding the candidate's background and profile.

#### **a) High moral character**

In her response to the questionnaire sent by the Panel, candidate Bethel stated that she has not received any sanctions as a result of 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, Marion Bethel holds a law degree and a Master of Laws from the University of Cambridge. She also holds a Bachelor of Arts (Spanish) from McGill University and a Master of Arts (Curriculum and Teaching) from Columbia University.

In her home country, she served as an attorney at the Office of the Attorney General of The Bahamas from 1985 to 1994.

At the international level, she was a member of the Committee on the Elimination of Discrimination against Women (CEDAW Committee) from 2017 to 2024, and served on the Independent Panel for the Selection of Inter-American Commissioners and Judges in 2015. She also has professional experience with the Organization of American States (OAS), having served on the Inter-American Commission of Women (CIM) as a member of the Expert Group for the Development of Model Regulations on the Prevention and Eradication of Violence against Women (1993–1994), and on the Inter-American Drug Abuse Control Commission (CICAD) as a member of the Expert Group for the Development of Model Regulations on Money Laundering and Proceeds of Drug Trafficking (1990–1992).

She currently works as a partner at the law firm Messrs. Sears & Co. in The Bahamas, where she practices in various areas of law, including Trusts and Estate Planning, Corporate Law, Property Transfers, Insurance Law, Commercial Law, Administrative Law, Family Law, and Immigration Law.

Bethel informed the Panel of her current participation on several boards, including the Deposit Insurance Corporation as a director; the National Accreditation and Equivalency Council of The Bahamas, as a member; and the Global Campus Council, also as a member. She also served on the board and the human resources committee of the Securities Commission of The Bahamas.

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

In her response to the questionnaire, candidate Bethel identified several recurring challenges faced by the IAHRs, including inadequate funding, lack of political will and hostility from some Member States, a backlog of petitions, procedural delays, and non-compliance by States Parties.

She further stated that the region is facing serious threats to democracy and the rule of law, as well as a weakening of civil society participation in human rights protection processes. She added that the legitimacy of the IAHRs is also undermined by the limited ratification of the ACHR and other Inter-American treaties, particularly by Caribbean countries.

In light of these challenges, Bethel suggested that greater visibility and awareness of the work of the IACHR could help promote increased engagement by both States and civil society organizations with the IAHRs.

The candidate was also asked about her views on the ACHR interpretations issued by the IACHR, and whether she believes any of them should be revised. In response, she stated that the Inter-American Court of Human Rights (IACtHR) is responsible for interpreting the ACHR and may modify the IACHR's interpretations, but should do so with due regard for the processes of dialogue and interaction between the IACHR and States in the domestic application of the ACHR's provisions.

Regarding the current role of the rapporteurships, the candidate stated that these functions should be carried out by independent experts acting impartially and without bias. She expressed interest

in the creation of a rapporteurship focused on the impact of macroeconomic policies and governance on human rights.

Finally, she did not offer specific suggestions for improving the functions of the IACHR, noting that she would be in a better position to do so after gaining substantive experience within the IAHRs. The Panel notes that, although the candidate does not have specific experience in the IAHRs, it recognizes her professional trajectory and experience in the Universal Human Rights System.

- ***Diligence and other relevant skills***

Regarding her commitment as a Commissioner, candidate Bethel stated that she is the managing partner at the law firm Sears & Co. and a board member of three statutory bodies in The Bahamas. She added that she will continue collaborating with various women's civil society organizations in The Bahamas and the Caribbean, as she intends to establish an organization to train and empower lawyers and activists to advance human rights in the courts. This initiative would also promote human rights education and awareness among the general public.

With respect to her knowledge of or professional experience with legal systems other than that of her own country, Bethel explained that she has primarily worked with legal systems in the English-speaking Caribbean, which are mostly common law jurisdictions, with the exception of Saint Lucia, which has a mixed system of common law and civil law. She added that she has also engaged with various legal systems through her work on the CEDAW Committee.

As for her language skills, she indicated that she is fluent in English and has basic conversational proficiency in Spanish and French.

**c) Independence, impartiality and absence of conflicts of interest**

The candidate stated that, should any conflict of interest arise due to her involvement in matters and/or with individuals, organizations, or States Parties appearing before the IACHR, she would be obligated to recuse herself.

She was specifically asked about her participation in civil society organizations supporting human rights and the potential conflicts of interest this may present in relation to her candidacy and the responsibilities she would assume as a Commissioner. Bethel responded that she has been involved with civil society organizations that advocate for human rights. She acknowledged that such affiliations could represent a conflict of interest if she were elected as a Commissioner, in which case she would recuse herself. However, she stated that she sees no conflict regarding her current candidacy and would assess her role and active affiliations on a case-by-case basis.

She was also asked about her previous work as a public official and whether it could give rise to any potential conflicts of interest. The candidate explained that she worked as a lawyer in the Office of the Attorney General of The Bahamas from 1986 to 1994 and does not consider that this position presents a conflict of interest with her current candidacy. She added that her involvement on three public boards likewise does not give rise to any conflicts of interest.

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

Candidate Bethel highlighted her extensive professional trajectory as a lawyer and advocate for human rights, social justice, and feminism. She emphasized her experience working with States Parties to fulfill their human rights obligations, strengthening the capacity of civil society to promote state accountability, and supporting individuals affected by human rights violations.

**e) National nomination process**

In her questionnaire, the candidate stated that she was nominated by the government of The Bahamas. She noted that she is not aware of any nomination process or public dissemination of it involving active participation from civil society.

**Conclusion**

The Panel concludes that candidate Marion Bethel meets the evaluation criteria established in the Inter-American instruments to be elected as a Commissioner of the IACHR.

The Panel considers that her participation as a member of the CEDAW Committee, as well as of expert groups within the CIM and CICAD—both entities of the OAS—will enable her to adapt effectively to the work of the IACHR.

She also demonstrated substantive knowledge of human rights and an understanding of the current challenges facing the IAHRs, for which she proposed some approaches to address them.

The Panel did not identify any impediment that would compromise the candidate's independence or impartiality in a way that would disqualify her from being elected as a Commissioner of the IACHR. However, the Panel expressed concern about her membership in various civil society organizations during the selection process, including her stated intention to remain involved in them if elected. In the Panel's view, this could bring into question the appearance of independence from the perspective of a reasonable observer.

The Panel highlights that her candidacy would contribute to gender parity and to a geographically representative composition of the IACHR.

The Panel notes that there is no public and participatory nomination mechanism in The Bahamas for bodies of the IAHRs, and that the authorities directly appointed Bethel's candidacy.