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The evolution of the Inter-American System for the Protection of Human Rights and the doctrine of conventionality control

Summary

The article presents the issue of the Inter-American System of Human Rights, the bodies which act within this framework and the functions they perform. In the opinion of the author, these international obligations placed on the nations of the Americas to safeguard and implement human rights create some sort of normative legal spectrum. This normativity serves to protect individuals resident in these states and in the event of violations, necessitates negative consequences on the international level.

The article highlights the fact that the problem of demographic sensitivity which has characterised the South American continent throughout history played a key role in the development of human rights in this part of the world. This development can be divided into three stages. The first of these dates from the late-1960s, a time when dictatorships proliferated on this continent, and yet it was then that the Inter-American System of Human Rights came into being. During the second stage, dating from the early 1980s, the continent experienced the process of democratisation, which saw attempts to ensure the appropriate effectiveness of the mechanisms for protection being introduced. The third stage, from the late-1990s to the present day, has seen the strengthening of the existing institutions and greater emphasis being placed on the implementation of laws founded on international treaties.

The final section of the article attempts to clarify the theory of *control of conventionality* exercised by the Inter-American Court of Human Rights. In this context, it is also the obligation of all institutions administering justice, and therefore not merely of those acting as judges, to adopt the interpretations of human rights laws pronounced by the courts. Such action will have a positive impact on integration on the American continent.

Keywords: control of conventionality – Inter-American System of Human Rights – Inter-American Court of Human Rights