



United States Department of State

***United States Permanent Mission to the
Organization of American States***

Washington, D.C. 20520

April 16, 2019

Dr. Paulo Abrão
Executive Secretary
Inter-American Commission on Human Rights
Organization of American States
Washington, D.C. 20006

**Re: Djamel Ameziane, Case No. 12.865
Response to Preliminary Merits Report**

Dear Dr. Abrão:

The United States thanks you for the letter from your office dated February 26, 2019 and sent to us on March 6, 2019, transmitting Report No. 156/18 of the Inter-American Commission on Human Rights (“Commission”), the preliminary merits report in the above-referenced case. We note your office’s request under Article 44(2) of a response on measures taken to comply with the Commission’s recommendations by April 26, 2019.

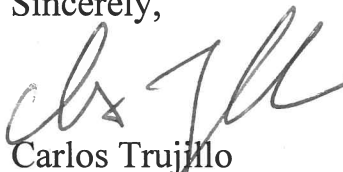
We have read the report and have taken under advisement the nonbinding recommendations set forth therein. The United States takes this opportunity to reiterate its objection to the way the Commission sought to interpret and apply the law of armed conflict in the draft report. As explained in detail in our previous written submissions and hearings in this and several other cases, OAS Member States have not granted the Commission the competence or authority to interpret and apply the law of armed conflict in Commission proceedings. The only international instrument relevant for the United States in IACHR petitions is the American Declaration of the Rights and Duties of Man (“American Declaration”), the terms of which do not encompass the customary or conventional law of armed conflict.

We take this opportunity to reiterate and incorporate by reference the additional jurisdictional, admissibility, and substantive arguments we have made numerous times over the history of this case.

The United States requests that when the Commission issues a final, public version of the merits report, it note and take account of the U.S. views set forth in the present letter, in line with past practice.

Please accept renewed assurances of my highest consideration.

Sincerely,



Carlos Trujillo
Ambassador