HUMAN RIGHTS AND POLITICAL REPRESSION

Rights and freedoms in Latin America

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A protester during the protests against the government of Sebastian Piñera in Chile, on October 20, 2019. Photo by Israel Acevedo, CC BY-SA 4.0 via Wikimedia Commons

This report is in the form of a summary, based on three documentary references, of the situation in the region of the Americas in terms of human rights and it gives an account of the political repression experienced over the last five years. The region of Latin America is considered one of the most dangerous in the world for its inhabitants, as documented by the most important academic output (Roniger, 2018; Gándara, 2019; Estepa, 2020; Estepa et al., 2020). This situation is also described in the 2020 preliminary reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (2020), Amnesty International (AI) (2020), the Inter-American Commission on Human Rights (IACHR-OEA) (2020) and the Gender Equality Observatory of the United Nations Economic Commission for Latin America and the Caribbean (ECLAC) (2019), the recommendations made by the Inter-American Court of Human Rights (IAHR Court) (2020) and the complaints filed by groups and individuals who report human rights violations every day and are victims of constant repression by the governments in Latin America. In particular, there is a danger to life and dignity for those population groups exposed to more vulnerable situations and deeply-rooted and historical inequalities in accessing opportunities, which limit or impede the full exercising of their rights (Tinoco; Mena; Martinez; Rojas, 2019). The main population groups exposed continue to be those who are human rights defenders and who report abuses of power by governments across Latin America.

1. Introduction

The rich academic output, the many annual reports and the complaints made by different social figures all highlight the different types of violence, harassment, criminalisation and forced displacement of civil populations related directly to the political repression experienced in Latin America. The historical neglect of matters of health, education and employment has been accentuated in the first eight months of 2020 by the lockdowns resulting from COVID-19. At different levels these exacerbate the political repression, understood as the way in which governments violate human rights through arbitrary detention, excessive use of force, the killing and disappearing of people, as well as the participation of government authorities in organised crime. All these violations are considered actions that deeply wound society and are fuelled each day by acts of violence, corruption and impunity that foreshadow different scales of political terror (López, 2020). Particularly in the Americas, these actions brutally violate the human rights of children and young people, women, the adult population, indigenous communities, migrants, and members of the LGTBQI+ community.

Therefore, the report recognises and emphasises five areas that represent the complex situation on issues related to femicide, violence, forced separation, political persecution, unemployment and health, which the Americas are going through in the middle of a pandemic and lockdown, at the time this report is written, with the population fighting for a dignified life in the middle of the global syndemic caused by COVID-19.

1.1. Theoretical debate on human rights in Latin America

It is essential to start with the extensive work produced by various academic institutions that, due to their involvement in the situation of the Americas on matters of human rights and political repression, take positions in courageous debates that confront the actions of the governments of Latin America. Below is a synthesis of the main works published by the most important academic institutions in the Americas.

In *Historia mínima de los derechos humanos en América Latina* (Roniger, 2018), The College of Mexico (El Colegio de México) took on the challenge of explaining the history of human rights in Latin America in an exercise that involves examining the progress achieved since the 20th century and the impact of the generations of the early 21st century in relation to systematic crimes against humanity and genocides, to the point of recognising the “right to have rights” today. The work invites us to appreciate the universality and inalienability of human rights, both for those who hold positions of power and for those who dispute these positions in an ethical duty of respect for the integrity and dignity of all people. The work invites us not to ignore the historical human rights violations in Latin America, which are summarised as: discrimination and xenophobia faced by immigrants as subordinate groups and their different challenges pending on the human rights agenda; cases of official repressive violence, especially state violence during the repressive wave of dictatorships, the origin of the systemic violence that the region has experienced for multiple generations; the actions of the revolutionary left who played an active role in politics at universities and in public spheres that created various failures in democratic

coexistence and the transition towards authoritarian governments in much of Latin America.

Another essential academic approach can be found in the book *Los derechos humanos en el siglo XXI* (Gándara, 2019), which invites us to reconsider the western notion of dignity that, although formulated since the beginning of the Enlightenment, remains the basis of discourse for many academics and for many others is the only way to understand and protect dignity. The work invites us to consider an intercultural understanding of human rights, constructed through the relationship between mutually understandable local meanings and permanent dialogue throughout Latin America. The change from the understanding of universality to that of interculturality is not a minor issue and reflects the real need to create an alternative to the colonising practices experienced to date in the main conflicts in the Americas. The coordination of the Latin American Council of Social Sciences (Consejo Latinoamericano de Ciencias Sociales – CLACSO in Spanish) has led to one of the most important projects to tackle the challenges being established in Latin America to face the universalisation of Western localism that operates through the hegemonic liberal discourse of human rights.

Finally, the work entitled *Derechos Humanos desde América Latina: discusiones y estrategias actuales* (Estepa *et al*., 2020), published by the National University of Rosario (Universidad Nacional de Rosario – UNR in Spanish), adds to the debate with criticism of the summations that underpin the modern colonial capitalist world system, which allows for the questioning of some social theories about human rights from the Americas. The relationship between an alleged scientific “purity” that shapes the thinking of those who defend the traditional discourses and models of human rights currently dominates in the field of human rights and this leads to an uncritical formalism. The result of the dominance of this logic, and of education based on cramming, is training that mostly results in technocratic professionals, far from reality and the needs of their own people, especially those of the victims of the current system. The work published by the UNR calls for a constant analysis in the application of human rights from the “South” and marks the starting point for resistance and the subsequent classification of the colonial, racial and Europe-centred being and its theoretical and scientific by-products.

These theoretical discussions strengthen and renew the theoretical horizon of the problems, experiences and trends in human rights from Latin America. They try to establish the origin and destination of the social reaction to the frequent violence and the causes of the political repressions experienced on a daily basis. However, it does not forget about works that touch on specific issues with intersectional approaches and that achieve a finer debate such as the book *VIH, migraciones y derechos humanos perspectivas internacionale*s (Rivera I. *et al*., 2019), published by CLACSO, which picks up a collective discussion where two of the most painful phenomena in all Latin America are highlighted. The authors refer to the multiple migratory processes experienced in the migrant caravans that cross the continent. The migratory experience confirms the existence and need to update the data on the migrant population in the countries of Latin America and the Caribbean and the requirement for the destination or transit countries to guarantee, for humanitarian reasons, the promotion of preventive health services that paradigmatically

change the prevailing commercial approach to health for one that includes the recognition of health as a human right.

The previous works develop and present extensive discussions about the various humanitarian crises that the region is experiencing. However, in recent years we have seen investigations that analyse the many examples of political polarisation to the left or right that lead to an absurd bipolarism. This is despite the population demanding a move towards the ideological pluralism of governments, political parties and citizens who work for the right to peace under the principles of equity and justice (Bermejo and Lamadrid, 2020). They also present the way in which Latin America uses some of the political and legal tools at its disposal to highlight and reconstruct grievances in contexts of political repression, armed conflicts and new expressions of violence and war, with porous territorial and temporal boundaries (De Marinis and Macleod, 2020).

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Finally, the investigations allow clear calls to be made for the need in Latin America to disrupt and redefine the framework of political power. Thus, we can see that there is a radical commitment to human rights among citizens, including individuals, groups and social movements, as part of their own public self-construction, to the extent that there is a necessary tension between institutions and citizens, spontaneously conflictive, and where it is essential that there is involvement in the emancipation projects of any type of subordination or dependence, of both individuals and groups across America (Garcé, 2020).

The work of Latin American academics has many theoretical debates pending which are discussed in many academic articles. However, it must be recognised that scientific reflections, on many occasions, pale in the face of the humanitarian emergencies that still persist in the Americas and therefore there is a vital need for a rethink of the academic works and the way it operates on these issues.

2. Reports on the situation in the Americas in the current context

As Roniger (2018), Gándara (2019), Rivera et al. (2019) and Estepa and Maisonnave (2020) argue, it is essential to consult the reports of the bodies that observe, systematise and denounce the numerous cases of human rights violations and political repression in the Americas.

The 2020 Report by the Office of the United Nations High Commissioner for Human Rights about Latin America warns of cases of militarisation of the police, the disappearance and murder of rights defenders and journalists and cases of rural violence and evictions of

landless communities in Colombia, Honduras, Mexico, Brazil and El Salvador, reserving their judgement on Nicaragua and Venezuela. In Brazil, Mexico and El Salvador, there is greater military involvement in public security matters, increasing the accusations of abuse and human rights violations by the military forces, with no noticeable improvements in the security of their populations.

In the updates to its report, Amnesty International (2020) includes very alarming data on the human rights situation in Latin America. The document focuses on how asylum and the right to demonstrate have been restricted in 2019; goes over the civil demonstrations of 2018 and 2019, whose civil expressions were observed in mass street protests over the different demands related to corruption, inequality and impunity, but also with the demand for better living conditions made to their leaders. For Amnesty International, it is clear that the states of the Americas are incapable of implementing political policies that benefit citizens through dealing with violence, inequality and institutional instability, problems to which impunity can be added. For AI, violence in the Central American region was replicated with the migratory phenomenon; specifically, with the expulsion of people leaving their countries of origin due to widespread violence and the inability of States to protect them. Added to this are the waves of human rights violations in transit and destination countries, such as when people go through Mexico to reach the United States. Finally, it highlights the serious situation and escalation of gender-based violence that worsened in the region and is widespread in the Americas.

Furthermore, the report of the Inter-American Commission on Human Rights (AICHR) (2019) highlights initiatives so that the states of the Americas can adopt measures on equality and non-discrimination, social participation, truth, justice and reparation, access to information as a guarantee of transparency and accountability, priority protection for groups in vulnerable situations, particularly migrants and migrant populations, and the inclusion of the gender and diversity issue. The report also helps identify trends and challenges in human rights observed in 2019, such as: the persistence of discrimination and violence against women, the LGBTI community, Afro-descendants and indigenous people, children and adolescents and in particular against human rights defenders, journalists and social leaders.

The Gender Equality Observatory of the United Nations Economic Commission for Latin America and the Caribbean (ECLAC) published, in its 2020 report, an alarming assessment of femicides (gender-based murders of women) up to November 2019 based on official figures from 16 countries in Latin America and the Caribbean. According to these data, at least 3,500 women were murdered because of their gender in 2018. The true figure is probably much higher as 10 countries only provided data on women who had been murdered by their partner or ex-partner. On 11 March 2020, the WHO declared the current global public health emergency. Due to the COVID-19 pandemic, the already difficult situation of many people in relation to human mobility has worsened. Many migrant women are on the front lines facing the pandemic and they are also among the populations most affected by the impacts of COVID-19, in terms of both their health, with lower levels of health coverage and worse living conditions, and the social and economic impacts, in terms of job insecurity and loss of income. Limited access to social security puts people at high

risk of losing their livelihoods, contracting the virus and not having their human rights respected. The information published by ECLAC on gender statistics, between 2005 and 2018, has reported official information on 15 Latin American and Caribbean countries and reveals that in 2018, at least 3,287 women were victims of femicide (violent death of a woman for being a woman) or femicide (term coined by the Mexican researcher Marcela Lagarde and that adds to the definition with the connotation of “State crime”, due to the omission, silence or inactivity shown by the Governments in preventing and eradicating these types of crime). If to these statistics we add the figures from the 10 countries in the region that only record femicides committed by the victim’s partner or ex-partner, it can be argued that the number of such crimes for 2018 reached at least 3,529 women. The countries with the highest number of femicides are Brazil, with 1,206 women, Mexico with 989 women, Argentina with 255 women, Honduras with 235 and El Salvador with 232. However, the rate of femicides per 100,000 women is higher: 6.8 in El Salvador, 5.1 in Honduras, 2.3 in Bolivia, 2.0 in Guatemala and 1.9 in the Dominican Republic.

Finally, the Human Rights Watch (HRW) report (2020), which in turn is segmented into various reports by country, recognises a common denominator in the Americas and links it to regional discontent over the use of violence to repress demonstrations. The case of Chile stands out for using “excessive force” to respond to the mass protests that took place in October 2020. In Bolivia, the report gives the number of deaths and injuries during the demonstrations of November 2019 and points out that the decree approved and later repealed by the interim Government, which granted criminal immunity to the military and police, did not comply with human rights standards. In Ecuador, it reports on the violence unleashed in the context of the protests, the excessive use of force by some security forces and the restrictions on freedoms imposed due to the state of emergency declared by the Government. Meanwhile, Venezuela continues to carry out different repressive actions directed at the opposition, using violence against protesters, imprisoning political leaders and trying civilians in military courts. Cuba has reports of the repression of critics and arbitrary arrests to silence human rights defenders and independent journalists. In Nicaragua, the NGO accuses the Government of Daniel Ortega of having dismantled almost all institutional controls on presidential power and of repressing critics and opponents violently and through the courts. In the case of Mexico, human rights violations committed by state security forces are reported, including torture, disappearances and abuse against migrants. The report also highlights the enormous problem of violence in various Central American countries, with some of the highest murder rates in the world, a situation that has forced the population to undergo mass displacements.

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The aforementioned reports, partial in nature for 2020, consistently present the same concerns as those of academic works looking at the longer term. However, they all express

serious concerns about the way in which states use repression to stay in power. In many nations, precisely to remain in the presidential chair, the Governments also weaken their national human rights protection systems. Concern about the continuance of radically populist and autocratic governments and the role they are playing in many economic and health crises undoubtedly discourages many of the sectors of the opposition in relation to the actions they intend to carry out to act as democratic balances. The syndemic, a product of COVID-19, creates worse social scenarios and makes uncertainty yet another element in the problem of lagging behind on progress in human rights.

3. Symbolic cases of the rights and groups affected

This third section provides a summary of the symbolic cases, by country, on five central issues relating to human rights and political repression in the Americas:

1. The environmental crisis and dispute over territory
2. The political and economic crisis caused by regional corruption
3. Frequent violence and femicide
4. Freedom of expression and persecution of social leaders
5. The syndemic crises caused by COVID-19

The five aspects are some of many others comprising the crisis for civilisation that was accelerated by COVID-19, characterised by a profound crisis in terms of human rights and political repression in the Americas in relation to environmental, economic, political, social and health crises. They also reflect the reports issued by civil groups and organisations on the front line and witnesses to the main repressions of political power.

3.1. The environmental crisis and dispute over territory

Both the IACHR and the IAHR Court highlight some worrying cases related to the environmental crisis and dispute over territory as crucial factors for the political repression experienced in Latin American countries. The widest crisis refers to the Pan-Amazonia crisis, considered a territory that is historically occupied by indigenous people and communities. They have experienced significant pressure on their territory due to foreign economic practices that brought to the region a series of changes in the way of life of these populations, including serious effects on their human rights, disappearances and the death of their leaders. For more than five years, human rights organisations have been making an urgent call to prioritise development that takes into account the world view of indigenous populations and where they are never again enslaved and forced to extract the natural resources of the territory. However, the call becomes even more necessary with the emergence of the coronavirus pandemic. This has exacerbated other damage related to mining and polluting practices, all of which are linked to murders due to invasions of land and forest fires, as reported by the general coordinator of the Coordinator of Indigenous Organisations of the Amazon River Basin (COICA in Spanish), which brings together indigenous organisations from nine countries in the Americas.

For the NGO Global Witness, the list of countries with the highest murder rates against environmental defenders are Argentina, Brazil, Colombia, Mexico, Guatemala, Honduras and Peru. Political repression of those defending the territory has been reported in the NGO's last four reports, but the one published in 2019 highlights that 40% of the reported victims belonged to indigenous populations. Presented below are some symbolic cases in countries in America.

The Argentine Republic has a ruling of the IAHR Court that declared it internationally responsible for the violation of various rights of 132 indigenous communities that live on two plots in the northeast of the Province of Salta. The Court determined that the Argentine State violated the right to community property and violated the rights to cultural identity, a healthy environment and adequate food and water, due to the ineffectiveness of state measures to stop activities that they were detrimental to these rights.

In Brazil, during 2020, the State entered into conflict with indigenous communities and the international community due to ignoring 82% of forest fires in the Amazon. The government accuses civil society organisations themselves of being responsible for the fires and accuses Greenpeace of being responsible for the oil spill that affected Brazilian waters and more than 2,250 km of its coastline. In response, Greenpeace filed a defamation lawsuit against the Minister of the Environment in the Federal Supreme Court.

In Colombia, legal and illegal mining industries, drug trafficking and armed groups have acted with complete impunity over the last decade and have not reduced their operations during the COVID-19 emergency period. The escalation of violence is overwhelming and seems to go hand in hand with infections, which until the first week of September 2020 had been reported by the health authorities. The NGO Indepaz had counted 10,062 coronavirus cases in 70 of the 120 indigenous populations in Colombia.

In Mexico, the indigenous populations are facing an aggressive violent situation, as reported by the National Indigenous Congress (Congreso Nacional Indígena – CNI in Spanish) of Mexico, which highlights the worsening of a war against indigenous populations waged by companies, the government and criminal organisations. In recent decades, Mexico has experienced a long process of territorial dispossession, where the persecution of environmental defenders and the violation of human rights in the 68 indigenous communities of Mexico has been exacerbated by the current COVID-19 health crisis in the south-east of the territory. This is led by conflicts with the tourism industry and the large projects for wind turbine and photovoltaic systems, which are the main threat to indigenous people, along with the Mayan Train mega-project.

3.2. The political and economic crisis of regional corruption

Corruption is another of the scourges of Latin American nations. The scale of this phenomenon is structural in nature and has negative consequences not only for the democratic system but also for the rule of law. Therefore, the call made by civil society, social movements and the entire population is becoming more radical in demanding

transformations to eradicate corruption. They also make constant calls for the formation of a political leadership to promote these changes and to raise awareness that corruption affects people living in poverty and extreme poverty. The judicial efforts made by some governments in the Americas to report serious cases of macro-corruption are highlighted. An example is the Odebrecht case that, in December 2016, uncovered the massive bribery and fraud system that entailed the involvement of 12 countries over the last five years and in which it is estimated that at least $788 million has been distributed in bribes to government officials, political parties and candidates throughout Latin America. This case may have involved corrupting the governments to impose presidents and obtain advantages in the awarding of public works contracts and in the development of their businesses in different countries. Investigations are ongoing and new background information relates to the most diverse spheres of power, ranging from public officials, political parties, candidates and universities and even ministers of state and presidents of the republic have been investigated. Countries such as Peru, Guatemala, Mexico, Colombia and Ecuador have been hit by the Odebrecht case, considered by NGO Red Latinoamericana Anticorrupción as the most serious case threatening the governance of the nations of the Americas.

In addition to the Odebrecht case, other social phenomena are linked to governance, corruption and political repression. For example, Ecuador, Chile and Bolivia have been shaken by political crises related to corruption which have led to large-scale social protests. In Mexico, there is the serious presence of risks relating to the boiling over of violence associated with drugs trafficking and the weakness of the state. The crisis in Venezuela is considered the most serious and far-reaching and over the last decade has generated a mass population exodus that affects the entire region. In Argentina we see the deep economic recession with its associated serious social crisis that led to a change of government in the presidential elections and to a change in the approach to foreign and development policy, which is the expression of broad social discontent. Meanwhile, in Central America, countries such as Nicaragua, Guatemala and Honduras present a problematic scenario in terms of stability and democratic governance.

In all, the stability reported by the liberal-conservative governments of Latin America is widely questioned by academics, international and national human rights organisations, activists and a broad swath of the vulnerable population who are unhappy about the economic recession and widespread violence. The passivity of the governments of the Americas exacerbates the frustration, discontent and unease in democracy, which takes the form of deep crises of political representation, public disaffection and distrust in institutions, which has already manifested itself in the 2017-2019 electoral cycle throughout Latin America.

3.3. Widespread violence and femicide

Another emerging issue related to political repression and governance in the Americas is the constant and unerring threat of widespread violence institutionalised by the governments of the Americas and its most evil instrument expressed in forced disappearance and femicide. Academics in Latin American are analysing the urgency and

relevance of working on the intersectional analysis of social phenomena where equality is related to other factors that affect the female gender, such as race, ethnic origin, religion or beliefs, health, status, age, class, caste, sexual orientation and gender identity.

Femicidal violence as a social problem is growing in Latin America along with demands from feminist civil organisations and human rights defenders for justice for its victims and their families, also demanding the implementation of preventive actions in the construction of cities and safe mobility for women. The reporting and political struggle has result in at least eleven countries recording a fall in the number of femicides, including Uruguay, Argentina, Paraguay and Costa Rica. In nations such as Mexico, Brazil, Chile and Ecuador, murders of women have increased, according to Alejandra Valdés, a researcher from the Division of Gender Affairs at the Economic Commission for Latin America and the Caribbean (ECLAC). Set out below are some symbolic cases by country.

In Mexico, UN Women reports that in the first quarter of 2020, 489 femicides were recorded in the country, representing an increase of 9.2% compared to femicides recorded in 2019. States like Colima, plagued by the control exerted by drug trafficking, reports 2.03 femicides for every 100,000 female inhabitants. This is the area with the highest rate of this common crime, followed by Morelos with 1.90 and Nuevo León with 1.25, while the national average is 0.75 femicides.

In Brazil, the Feminist Health Network (Red de Salud Feminista) reports that at least 497 women have been victims of femicide since the start of the pandemic in the South American country, reporting an average of three deaths per day. The states with the most femicides in the period are Sao Paulo with 79 cases, Minas Gerais with 64 and Bahia with 49 in the first half of the pandemic. The Red de Salud Feminista indicates that the number of attempted femicides continues rising.

In Chile, the Chilean Network against Violence (Red Chileana contra la Violencia) reports that from 2010 to 2019, 515 femicides were recorded according to data provided by the Ministry of Women and Gender Equity. However, these figures do not include crimes committed by husbands or ex-husbands, just those resulting from political repression and social struggles.

In Ecuador, the Latin American Association for Alternative Development (Asociación Latinoamericana para el Desarrollo Alternativo – ALDEA in Spanish) reports a continued increase in femicide figures in the country and, after a decade of analysis, reports that since the beginning of the pandemic, 81 femicides have been reported, including 11 minors. The same association reports cases of trans-femicide, which is the murder of transsexual or transgender people through male violence.

In Peru, the Ministry of Women reported that 149 women were victims of femicide during 2018 and that there were 99 victims between January and July 2019. Reports of femicides have led to many mass demonstrations against gender violence since 2015.

3.4. Freedom of expression and persecution of social leaders

Another very concerning issue in this type of report is that related to freedom of expression in all possible environments, including the Internet. Political repression is exercised against the right to free demonstration, peaceful protest and citizen complaints about the problems that plague the Americas, headed up by corruption, violence against women and children and the right to land. All of the above are essential elements for the functioning and very existence of the democratic system, as well as a channel that allows people and different groups in society to express their demands, dissent and complaints about the government and their particular situation. They also allow for access to and the obtaining of political, economic, social, cultural and environmental rights.

The UN report on freedom of expression reports that, at the end of September 2020, there were 39 murders of journalists in the first nine months of the year. In the Americas, journalists, activists, and fighters for different social causes have been criminalised and stigmatised by the authorities. The governments of the Americas have responded to the health challenge of tackling the spread of COVID-19 in different ways. One way is with the imposition of states of emergency and restricting the rights of expression and assembly, which has happened in Bolivia, Chile, Colombia, Ecuador, Guatemala, Nicaragua and Honduras. In Latin America particularly, journalists are routinely being targeted by state and non-state agents in a notable increase in acts of violence and intimidation. The issue is exacerbated by increasingly polarised political environments and the continuous stigmatisation of professionals and activists, especially in Mexico, Brazil, Venezuela, Cuba and El Salvador. Therefore, we will present some cases from these countries.

In Chile, *The Global Expression* report by the news agency EFE highlighted the cases of repression where the response of the Chilean government against protests over the last three years has been excessive and disproportionate and has resulted in an enormous number of activists being injured. Demonstrations broke out in late 2019, often the result of discontent with government policies.

In Ecuador, the same report highlights an increase in violence over the last ten years, which worsened in 2019 due to the attitudes of the government of President Lenin Moreno in his attempts to suppress demonstrations protesting against the corruption of his government. In that country, the widespread protests and riots and authoritarian leaderships undermine democracy, while corruption and organised crime are key problems, along with forced disappearances and violence against journalists and activists, particularly women and indigenous people.

In Brazil, the arrival of President Jair Bolsonaro marked an iconic moment in the relationship between the government and the media, characterised by the president’s verbal attacks on journalists in their informing and reporting work. The president was directly responsible for ten attacks on reporters per month in 2019, particularly targeting women of African descent and indigenous activists.

In Mexico, at the start of President Andrés Manuel López Obrador's government, we saw a worryingly determination to label the press as "sold out" and "elitist" if they referred to the failures of the government. Various organisations worryingly report the measures that the current government is taking against the opposition, which it classifies and judges as corrupt even though the judicial processes investigating various cases of corruption in the three previous administrations have not yet been concluded in the courts.

Countries like Venezuela and Nicaragua have received the most accusations about limits on the freedom of expression and the persecution of civilians, journalists and opponents in the last decade. This corresponds to a clear decline in freedom to report possible acts of corruption, abuse of authority and undemocratic and authoritarian conduct. In the case of Venezuela, with the coming into power of Nicolás Maduro in 2013, complaints against him have increased, especially in the way his government has attacked critics through systematic repression in the streets, the imprisonment of opponents and trials of civilians in military courts, as well as his attempts to strip the National Assembly, which has an opposition majority, of its powers. In the case of Nicaragua, it is notable that during the presidency of Daniel Ortega, democratic structures have been undermined and brutal repression has been documented, particularly in 2018 against protesters opposing the Government.

3.5. Political repression and syndemic crises characterised by COVID-19

The mobility restrictions imposed by governments to stop the spread of the coronavirus have been a vehicle for criminal organisations to control different territories and silence civil leaders who denounce the atrocities committed over the last decade. The pandemic has accelerated and amplified calls for social unrest and disorder in 2020.

The first signs of social unrest, seen in cases of prison breaks in Venezuela and Brazil, involved inmates reacting violently to the new restrictions associated with COVID-19, whilst in Colombia, prison riots and an attempted escape due to the alleged lack of protection against the illness resulted in the death of 23 inmates at La Modelo prison. Looting of food lorries in Mexico, Guatemala, Venezuela, Colombia and El Salvador are part of the social protest about the economic effects of the decisions made, related to economic decline, the financial recession or, as in the case of Colombia and Venezuela, to the closure of the border between the two countries for health reasons. The case of Peru is alarming as the authorities arrested hundreds of members of the public for violating the quarantine rules, in some cases with violent outcomes. Some worrying cases are set out below:

Brazil has the second highest number of coronavirus deaths after the United States, exceeding one million reported cases. One cause of the mismanagement of the pandemic may be related to the fact that government officials from at least seven states are under investigation for alleged misappropriation of over $200 million in public funds during the crisis.

Colombia is investigating reports made by civil society where it is claimed that over 100 political campaign donors received lucrative contracts to provide emergency supplies during the pandemic.

In Peru, public officials resigned after their subordinates bought diluted disinfectant and flimsy masks for police officers, who then began to die at alarming rates after being infected by the virus.

Mexico has been classified as the worst country in handling the pandemic, exceeding 100,000 deaths. The Transparency International Mexico (Transparencia Internacional México) organisation, an anti-corruption group, reports the opacity of the information and the non-existent independent supervision of the Congress in handling the pandemic.

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So far in 2020, the IACHR installed a Rapid and Integrated Response and Coordination Unit in relation to the COVID-19 pandemic (SACROI COVID-19), with the aim of strengthening institutional capabilities to closely monitor the human rights situation in the context of the pandemic, reinforcing its complete coverage and intersectorality, in light of the protection of human rights. This has allowed it to collect evidence about its impact and monitor response actions adopted by the States in the region. The response to the crisis is focused on developing mechanisms to work preventively in situations that may affect human rights in the region and guarantee effective access to Inter-American justice and the protection of the rights of victims of human rights violations in a more efficient and faster manner. This can be achieved by structuring and coordinating monitoring and dialogue mechanisms with States, civil society organisations, academia and other international, regional and subregional organisations and agencies to protect human rights.

4. Possible actions to guarantee the human rights and prevent further political repression in Latin America

- Without underestimating the progress made in the area of human rights, this report from the Americas invites us to address the issue of the discrimination and xenophobia that always accompany cases of official repression through violence, especially the State violence that the region has experienced for many generations, accompanied by colonising practices resulting from the universalisation of the western localism that operates through the liberal hegemonic discourse of human rights.

- The American States will be obliged to continue with the tasks, deals and contracts that guarantee the health service and in the coming months manage the efficient distribution and management of the chain for the vaccination against COVID-19. This will mitigate the risk of internally displaced persons and refugees facing outbreaks and flare-ups of COVID-19 on a large scale, moving them once again to safe places. It also mitigates the risk that when on the move they become exposed to local authorities reacting with force to contain them, unleashing a potential escalation of violence.

- Given the poverty and marginalisation reported in the region of the Americas, caused by unemployment and the global economic crisis and exacerbated by the pandemic, everyone will need to work hard to clarify the cultural bridges that allow the permanent construction of conditions, interculturally recognised, that enable people to formulate and build worlds from their individual characteristics and different horizons and contexts, facilitating different analyses for the application of human rights from the “South”, and new starting points in the endurance and subsequent classification of the colonial, racial and Euro-centred being.

- The big challenge for Latin America is identifying and rejecting, from institutions and in laws, the violence caused and allowed by the actions and omissions of the American States that, hand in hand with global capital, mining companies, drug trafficking gangs, human trafficking and corruption, prevail at many levels of governments. Social demands must be addressed with greater speed through the setting up of municipal and state human rights committees, which allow the creation of a new governing order closer to the public they serve and prevent any type of repression against vulnerable populations.

- The new left-wing governments must stop the patronage and corrupt practices that have characterised the authoritarian governments and dictatorships. Today’s new “democratically elected” governments must abandon their economic development programmes based on exporting natural resources, corruption and omission to effectively tackle the great challenges of democracy, gender equality and freedom of expression.

- In America, the Internet constitutes a fundamental channel for communication, employment, education and health in times of lockdown as a result of the COVID-19 pandemic. The isolation of millions of people has forced many productive sectors and the entire educational system to stay at home. Therefore, universal and free access to the Internet should be a pillar of the regional strategy on education, teleworking and telemedicine. The American States should promote the mass use and free access to the Internet for broad sections of the population in the region. Many rights must have a digital expression based on the socio-technical interactions over the Internet that encourage new controls and ways of reporting human rights violations.

- The pandemic is in addition to the many problems already being experienced in the Americas and results in the emergence of a paradigmatic shift in the social, economic and cultural structure. It is essential for national and international legal instruments to operate efficiently and expeditiously in response to complaints from the public in the broadest respect and with attention to the right to free demonstration and peaceful protest. Above all, they must deal with complaints that warn of frequent violence in the workplace, school, family, and, in a growing trend, those relating to femicidal violence and threats to the dignity of childhood.

- International cooperation and the national, state and municipal levels of government must reinvent the way they operate in order to address the tense situations due to the dispute over territory caused by organised crime mafias, who impose rulers, attack communal property and put the health and tranquillity of civilian populations at risk.

- The nations of the Americas, as a result of cultural colonisation, must abandon the reproduction of the neo-liberal economic system and structural dependence of politics on illegal activities that, creating routes for drugs trafficking, sexual exploitation and murder, mean that citizens are facing a serious and tense social and political situation.

- The issue of public leadership is now an imperative to improve the governance of the institutions and the various sectors across the region. Democratic and participatory societies increasingly need more people to interact with each other, involve themselves in public decision-making and generate constructive dialogues, planning public action in a transparent and collaborative way.

- National and international treaties must lead to results and negotiations in the short term between Latin American and Caribbean countries. One example is the signing of the Escazú Agreement in 2018 by 24 countries from the region in order to have a Regional agreement on access to information, public participation and access to justice in environmental issues in Latin America and the Caribbean. Agreements like this guarantee the involvement of the public in access to environmental information and participation in public policies related to the issue covered by the agreement.

- Finally, governments must pay special attention to the dynamics of lockdowns, health emergencies and the uncertainty resulting from COVID-19, which exacerbate different types of violence, harassment, criminalisation and forced displacement of civil populations. The helplessness experienced by various populations cruelly affects children and young people, women, the adult population, indigenous communities, migrants and the LGTBQI + community. It is constant and reaches its limits in the midst of the global COVID-19 syndemic.

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