

Summary:

Despite the advance of representative democracy and overall economic growth in the Americas, poverty, inequality and marginalization are still widespread. Democratic governance, which is premised upon independent judicial and executive institutions and a respect for human rights and the rule of law, is key to addressing these social and economic inequalities. Democratic governance is one of the three pillars of Canada's Americas Strategy, but it seems to be taking a back seat to the other two pillars: trade and security.

Quick Facts:

- The Americas is one of the most dangerous regions for individuals working in the media sector. In 2010, close to 400 media workers were threatened or attacked and at least 13 journalists were killed by unidentified assailants. Mexico, Honduras, Colombia and Brazil recorded the highest rates of violence perpetrated against journalists.¹
- Since 1986, 2690 trade unionists have been murdered in Colombia. Impunity rates for these violations remain unchanged with a 3% conviction rate.²
- While indigenous people only make up 3.4% of Colombia's population, they represent 7% of the displaced population.³ 32 of Colombia's 85 indigenous groups are currently at risk of extinction due to the long-lasting armed conflict, large-scale economic projects and lack of state support.⁴
- By 2010, cases involving more than 3000 alleged executions of civilians by Colombian security forces had been registered in Colombia's civilian justice system.⁵
- According to the IACHR, more than 4000 cases of violations of fundamental human rights have been documented in Honduras since the 2009 coup d'état, ranging from censorship and the closure of media outlets to brutal crackdowns on protesters, curfews, and reports of torture and rape.⁶
- In Guatemala, 631 women were sexually abused and violently killed in 2011, amounting to almost 5700 in the past ten years.⁷
- The rate of impunity in Guatemala is 98 percent, with only 2 out of every 100 cases actually going to court.⁸

Key Issues:

Criminalization of Dissent

The criminalization of social protest is a growing trend in Latin America, affecting social leaders, teachers, students, public workers, journalists, indigenous people and farmers. In Ecuador, nearly two hundred people find themselves involved in prosecution processes for protesting against projects they felt would have negative social and environmental impacts on their communities – mainly extractive projects.⁹ Protesters are accused of 'sabotage' and 'terrorism' under vague, all-encompassing anti-terrorism legislation.¹⁰ Their governments are often more concerned about attracting foreign investment than protecting the rights of their most vulnerable citizens. Freedom of expression is vital to any democracy. Canada should play a

stronger role in stopping this type of violence and intimidation – especially since its extractive companies sometimes inadvertently benefit from it.

Ongoing Attacks Against Human Rights Defenders

Throughout Latin America, human rights defenders are threatened, attacked and murdered by unknown assailants on a regular basis. Undercover state actors, paramilitaries and members of organized crime groups are widely believed to be the main culprits. Three of every four female human rights defenders in Mexico have been violently attacked for their work.¹¹ Attacks against indigenous people in Colombia have increased in recent years, with at least 114 indigenous women, men and children killed in 2009.¹²

Corruption and Impunity

Many Latin American countries lack impartial, independent judicial and executive institutions. Colombia, for example, is notorious for its intimate connections between politicians, paramilitary groups, corporate interests and state-security institutions. In such contexts, government authorities are unable or unwilling to bring the perpetrators of crimes to justice, resulting in extremely high levels of impunity. This undermines the possibility of a fair and democratic society.

Human Rights Crisis in Honduras

In June 2009, a military coup overthrew democratically elected Honduran president Manuel Zelaya. The coup was followed by an intense nationwide campaign of repression against anti-coup activists.¹³ In November 2009, the country held elections, which were characterized by violence and repression. The newly elected leader, Porfirio Lobo Sosa, was viewed by many as an extension of the post-coup regime. The Mercosur bloc of nations (Argentina, Brazil, Uruguay, Paraguay and Venezuela) refused to recognize him, saying that the elections had been held in an “unconstitutional, illegitimate and illegal atmosphere”¹⁴. Despite ongoing concerns about the state of human rights and democratic governance in Honduras, Canada recognized President Lobo’s electoral victory, supported Honduras’ re-incorporation into the OAS, and signed a FTA with the country. Instead of promoting human rights and democratic governance in Honduras, Canada seems to be validating a regime associated with serious human rights violations and widespread impunity.

Recommendations

- That Canada recognize the important role of civil society organizations and human rights defenders in democratic governance and work to guarantee their safety and right to freedom of expression and dissent. This should be done by making public statements about the importance of their work, observing trials that involve them, being in regular contact with them and monitoring their safety, inviting them to events organized by the Canadian embassy, monitoring Latin American governments’ compliance with precautionary measures for human rights defenders, and responding immediately to threats against them.
- That Canada refrain from concluding FTAs with countries that have poor democratic governance and human rights records, given the links that exist between foreign investment and violence against local protesters in such countries. Canada’s existing FTA with Colombia is of concern for this reason. Canada must ensure that there are substantive consequences to any negative findings contained in the Canada-Colombia FTA HRIA reports, such as the cessation of the agreement.

- That Canada call on Honduran authorities to take immediate measures to halt the intimidation, arbitrary arrests, forced disappearances, torture and killings of individuals and groups; and to fully restore freedom of expression so that journalists, opposition parties and critics can safely express dissenting opinions.
- That Canada take the findings of the alternative truth commission, the *True Commission*, seriously and push for the implementation of its recommendations. The Commission is made up of reputable international human rights experts, including Nobel peace prize winners.

¹ Amnesty International: Annual Report on the State of the World's Human Rights (2011)

² Canadian Council for International Cooperation: Making a Bad Situation Worse: An Analysis of the Text of the Canada-Colombia Free Trade Agreement (2010)

³ Amnesty International: Indigenous Peoples Struggle to Survive in Colombia (2011)

⁴ Amnesty International: Indigenous Peoples Struggle to Survive in Colombia (2010)

⁵ Latin America Working Group Education Fund: Breaking the Silence - In search of Colombia's disappeared (2010)

⁶ IPS News: Honduras Has Much to Explain in Human Rights Exam (2010)

⁷ Amnesty International: Human Rights in Guatemala Under Scrutiny by the UN (2012)

⁸ United Nations: International Commission Against Impunity in Guatemala (2009)

⁹ Latin America Bureau: Ecuador – Criminalization of the Social Protest (2011)

¹⁰ Observatory for the Protection of Human Rights Defenders: Annual Report 2011

¹¹ Latin America Press: Human rights defenders face violence (2012)

¹² Amnesty International: Indigenous Peoples Struggle to Survive in Colombia (2011)

¹³ Canadian Council for International Cooperation: Honduras - Democracy Denied (2010)

¹⁴ Canadian Council for International Cooperation: Honduras - Democracy Denied (2010)