

---

# DOMINICAN REPUBLIC

/ Dominican Republic

HEAD OF STATE AND GOVERNMENT:  
**DANILO MEDINA SÁNCHEZ**



The police routinely raped, beat and humiliated women engaged in sex work in acts that may amount to gender-based torture or other ill-treatment. The response to the statelessness crisis remained insufficient. Civil society expressed concern over the lack of adequate international protection for Venezuelan refugees. Abortion remained criminalized in all circumstances.

## BACKGROUND

General elections were set for 2020.

A National Human Rights Plan was approved for 2018-2022 which included plans to present comprehensive anti-discrimination legislation to Congress between October and December 2019. At the end of the year, this commitment was not fulfilled. In August, a process began to appoint a new Ombudsman.

Between January and September, 58 women were killed because of their gender. The killing of lawyer Anibel González, reportedly by her former partner, reignited regular protests calling for an improved response to gender-based violence.

Between January and September, there were 5,417 reports of sexual offences, including 1,106 reports of rape, according to the General Prosecutor's Office, compared with more than 6,300 reports of sexual offences and 1,290 reports of rape in 2018.

## TORTURE AND OTHER ILL-TREATMENT

Within this context of gender-based violence, cisgender and transgender women sex workers were routinely targeted for rape at gunpoint, beatings and humiliation by the police, as punishment for transgressing socially constructed views around gender and as a form of social control.<sup>13</sup>

The criminalized status of sex workers fuelled arbitrary detentions and enabled police officers to commit human rights violations with impunity. Women sex workers faced significant structural barriers in reporting violence by the police and the authorities failed to investigate possible cases of gender-based torture or other ill-treatment, as required by international law.

Women sex workers with multiple discriminated identities – such as transgender women – experienced even more pronounced exclusion and remained at greater risk of torture or other ill-treatment.<sup>14</sup>

Civil society coalitions advocated for comprehensive anti-discrimination legislation, as well as a national protocol to investigate allegations of gender-based torture, such as rape.

In September, sex workers advocates held a side event during the ordinary period of sessions of the Inter-American Commission on Human Rights at which the Rapporteur on the Rights of LGBTI Persons acknowledged that rape by the police of women who sell sex can amount to torture.

## DISCRIMINATION – STATELESS PERSONS

Civil society organizations continued to report that many Dominicans born to foreign parents who were registered as Dominicans at birth but later unrecognized as nationals (known as Group A) – most recently through a 2013 ruling that left thousands without nationality – had been unable to obtain Dominican identity documents, leaving them unable to prove their nationality and at risk of expulsion.

Similarly, civil society continued to express concern that Dominicans born to foreign parents whose birth had never been registered (known as Group B) had been unable to obtain naturalization as Dominicans, despite having been required first to register as foreigners and later initiate a complex naturalization process.

During the year, the government did not make accessible updated public data on the number of people who had been able to obtain Dominican identity documents or to naturalize, which continued to make it difficult to assess the extent of the statelessness crisis and facilitated the government's ongoing denial of the problem.

## REFUGEES AND ASYLUM-SEEKERS

By October 2019, there were 30,000 Venezuelan migrants and refugees in the Dominican Republic, of whom 184 had lodged claims for asylum, according to the UN High Commissioner for Refugees. In January, the UN Human Rights Committee, in its examination of the country's human rights record under the Universal Periodic Review (UPR) process, expressed concern at the extremely low number of people granted asylum and other inefficiencies of the asylum system. Civil society specifically criticized the lack of adequate mechanisms to provide international protection for Venezuelan refugees.

## SEXUAL AND REPRODUCTIVE RIGHTS

The Dominican Republic continued to criminalize abortion in all circumstances. Importantly, during the UPR process the country accepted recommendations to ensure that women and girls seeking abortion services are not subject to criminal sanctions.<sup>15</sup> However, by the end of the year, no concrete steps had been taken towards that goal.

---

<sup>13</sup> Dominican Republic: "If they can have her, why can't we?", Gender-based torture and other ill-treatment of women engaged in sex work in the Dominican Republic (AMR 27/0030/2019)

<sup>14</sup> Dominican Republic: 'I Dream of a Queer Future.' A Conversation Between Two Activists on International Transgender Day of Visibility, (News story, 1 April)

<sup>15</sup> Dominican Republic: Human rights guarantees must be respected (AMR 27/0687/2019)

---

# ECUADOR

/ Republic of Ecuador

HEAD OF STATE AND GOVERNMENT:  
**LENÍN BOLTAIRE MORENO GARCÉS**



Despite formal promises, President Moreno had yet to put in place policies to regulate extractive industries that protect the rights of Indigenous Peoples. Concerns remained regarding the lack of appropriate protection mechanisms to safeguard the lives and physical safety of human rights defenders and to ensure effective investigations into threats and attacks against them, particularly those working to defend Indigenous People's rights, the territory and the environment.

## REPRESSION OF DISSENT

On 3 October, protests erupted in multiple cities in response to austerity measures announced by President Moreno. Hours later, the President declared a state of emergency throughout the country, authorizing the use of the armed forces and the National Police for public security operations. The President revoked these austerity measures on 14 October after days of violent repression of social discontent and evidence of excessive use of force by the security forces against protesters. According to the Ombudsman's Office, during the 10 days the measures were in place, 1,192 people were detained, eight people were killed and 1,340 were injured.<sup>16</sup> More than 70% of the detainees were released immediately and charges were pressed against the remaining.

On 31 December the Organic Law on Tax Simplification and Progressivity was published in the Official Gazette. The law sets out the government's tax plans in the context of broader economic changes that will be analysed in 2020.

---

<sup>16</sup> Ecuador: OAS member states must demand that Ecuador investigate violent repression during the state of emergency (News story 15 October)

A delegation of the IACHR visited the country between 28 and 30 October to observe the human rights situation after the protests. Also, the UN High Commissioner for Human Rights sent a mission to Ecuador from 21 October to 8 November after which the High Commissioner called for independent, impartial and transparent investigations into allegations of human rights violations and abuses committed in Ecuador during the protests.

## HUMAN RIGHTS DEFENDERS

On 11 April, digital rights defender, Ola Bini, was detained by police after the Minister of the Interior, María Paula Romo, accused him of “cooperating with attempts to destabilize the government”. He was released after 70 days in pre-trial detention following a court order that acknowledged his detention was arbitrary and violated international law. Ola Bini was later charged with the crime of “unauthorized access to an information system” and was awaiting trial at the end of the year.<sup>17</sup>

The authorities had yet to design and implement a national policy for the protection of human rights defenders, including a protocol for the investigation of crimes committed against them. By the end of the year, no one had been brought to justice in connection with threats and attacks against Amazonian Women Collective Members Patricia Gualinga, Nema Grefa, Salomé Aranda and Margoth Escobar.<sup>18</sup>

## INDIGENOUS PEOPLES' RIGHTS

In July the UN Special Rapporteur on the rights of indigenous peoples issued a report on her visit to the country and recommended that Ecuador ensure no new concessions were granted to extractive industries without the free, prior and informed consent of Indigenous Peoples affected. She also recommended that any concessions already granted that were not in line with the Constitution and with international standards be reviewed and, if necessary, cancelled.

In October the Sarayaku People filed an action in local courts to demand the full implementation of a 2008 ruling by the Inter-American Court on Human Rights that they must be consulted.

## MIGRANTS AND REFUGEES

Concerns remained about the hardening of requirements for Venezuelan refugees seeking international protection in Ecuador. In January, the President publicly blamed Venezuelan immigrants for cases of gender-based violence and femicides. After the statement, the city of Ibarra registered several xenophobic attacks against Venezuelan nationals.

## VIOLENCE AGAINST WOMEN AND GIRLS

In September a proposed bill to modify the Criminal Code to decriminalize abortion in cases of foetal abnormalities and rape was rejected by the National Assembly, thereby continuing to put the lives of pregnant women and girls at risk.

---

<sup>17</sup> Ecuador: Human rights violations in criminal proceedings against Ola Bini (AMR 28/0871/2019)

<sup>18</sup> Ecuador: “They will not stop us”: Justice and protection for Amazonian women defenders of the land, territory and environment (AMR 28/0039/2019)

---

# EL SALVADOR

/ Republic of El Salvador

HEAD OF STATE AND GOVERNMENT:

**NAYIB ARMANDO BUKELE ORTÉZ**

(replaced Salvador Sánchez Cerén in June)



The rights of the victims of crimes under international law and human rights violations and abuses during the internal armed conflict were under threat. Levels of violence continued to provoke internal displacement and forced migration. The total ban on abortion remained in place. Restrictions on freedom of press and limited access to official information were reported throughout the year. Enforced disappearances remained a challenge and the Legislative Assembly ended the year without ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

## BACKGROUND

Presidential elections took place in February and Nayib Bukele, the new president, assumed office in June.<sup>19</sup>

In December, the Inter-American Commission on Human Rights (IACHR) visited the country, 32 years after its previous in loco visit. Its preliminary observations focused primarily on the issues of public security, transitional justice, people deprived of their freedom, migration and forced displacement, women's rights and LGBTI people.<sup>20</sup>

---

<sup>19</sup> El Salvador: Memorandum to the President. Initial recommendation to the new government on human rights (24 June).

<sup>20</sup> El Salvador: After IACHR's visit, the government must make major changes to guarantee human rights (News story, 5 December).

## IMPUNITY

The rights to justice, truth and reparation of victims of crimes under international law and human rights violations and abuses committed during El Salvador's armed conflict from 1980 to 1992 were not recognized, bar in a few exceptional cases.

In May, a draft Special Law for Transitional and Restorative Justice for National Reconciliation was discussed in the Legislative Assembly. The text of the proposed bill was described by human rights groups as a threat to the right of access to justice for victims and a mechanism for perpetuating impunity.<sup>21</sup> Further, the President of the Inter-American Court of Human Rights asked El Salvador to suspend the legislative progress of the bill and the UN High Commissioner for Human Rights warned that the draft bill contained a series of provisions that could translate into a de facto amnesty. Also in May the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence concluded his official visit to the country and expressed concerns about the slow pace of action by the Attorney General's Office in investigating crimes under international law and human rights violations and abuses during the armed conflict, obstacles to accessing military files from the years of the conflict, and the insufficiency of the reparation and historical memory process.

In September, human rights organizations and victims' groups informed the IACHR that state programmes for victims' reparations, created in 2013, had been disestablished as a result of an institutional reorganization implemented by the new government.

In December, the IACHR reiterated the need for the new national reconciliation law, which is expected to be approved next February, to fully comply with El Salvador's international obligations with respect to transitional justice, and also to take into account the voices of the victims.

## POLICE AND SECURITY FORCES

In June, the Human Rights Institute of the Central American University "José Simeón Cañas" expressed concerns about the suitability of some of those newly appointed to senior positions in the Civil National Police. In addition, they reported that in the previous two years they had received information about six cases of human rights abuses, including cases of possible extrajudicial executions and torture, allegedly perpetrated by members of the police force. Also, in June, the government launched the Plan for Territorial Control designed to tackle organized crime. An important decrease in homicide rates was reported by the government and media outlets. However, the use of military forces in public security operations, prison conditions and the absence of substantial information about the government security plan were among the concerns reported by local NGOs.

In December, the IACHR noted that despite a previous ruling by the Constitutional Chamber of the Supreme Court that established that the military should not participate in public security tasks in El Salvador, the current Plan for Territorial Control continues to involve such forces in public security operations. As a consequence, it recommended that El Salvador strengthen its police force in order to incrementally relieve the armed forces of public security duties, in line with international human rights standards. The IACHR also recommended that El Salvador publish the content of the Plan for Territorial Control, widely circulate information about public security policies and include spaces for civil society participation.

## WOMEN'S RIGHTS

Abortion continued to be prohibited in all circumstances and carried criminal penalties for women. Women from disadvantaged backgrounds were disproportionately affected. In August, Evelyn Beatriz Hernández Cruz, sentenced to 30 years' imprisonment for aggravated homicide after suffering obstetric complications, was declared innocent after a retrial. However, in September the Salvadoran Public Prosecutor's Office announced that it would lodge an appeal against her acquittal.<sup>22</sup>

In October, the IACHR presented before the Inter-American Court the case of Manuela, a woman convicted of homicide after having a miscarriage, who died of cancer in prison while serving her sentence.

---

<sup>22</sup> El Salvador: Memorandum to the President. Initial recommendation to the new government on human rights (24 June).

## HUMAN RIGHTS DEFENDERS AND JOURNALISTS

Throughout the year, local NGOs denounced the lack of an official record of violations against human rights defenders and the Legislative Assembly's failure to approve two proposed bills – the Law for the recognition and comprehensive protection of human rights defenders and for the guarantee of the right to defend human rights and the Special law for the comprehensive protection of journalists and media and information workers. Both had been presented before the Assembly in 2018. Restrictions on press freedom and limitations on access of official information were reported by the Forum for the Protection of Journalists in August.

In December the IACHR recommended that state authorities avoid stigmatizing and discrediting journalists and human rights defenders and ensure that the declarations of public authorities are respectful of their work.

## MIGRANTS, REFUGEES AND INTERNALLY DISPLACED PEOPLE

Many of those who left their local communities or the country were fleeing the effects of the control of territory by criminal gangs and the impact this had on their rights to life, physical integrity and freedom of movement in many parts of the country. In that context, in September the governments of El Salvador and the USA signed an Asylum Cooperative Agreement, also known as a "safe third country" agreement , provoking well-founded concerns about how a country with high levels of crime and violence would ensure the protection of people forced to seek asylum or international protection in El Salvador.

Following its in loco visit, the IACHR recommended that authorities reject measures, policies or agreements that would designate El Salvador as a safe third country and that they adopt comprehensive programs and specific measures aimed at guaranteeing the rights of internally displaced people.

---

# GUATEMALA

/ Republic of Guatemala

HEAD OF STATE AND GOVERNMENT:  
**JIMMY MORALES CABRERA**



Levels of impunity and insecurity remained high. The authorities continued to obstruct the fight against impunity, putting justice and the rule of law at risk. The government succeeded in definitively shutting down the International Commission against Impunity in Guatemala (CICIG). Congress moved forward with the discussion of regressive bills, taking them closer to adoption. Attacks against human rights defenders intensified, in a context of shrinking spaces for civil society. By the end of year, Guatemala had yet to ratify the Escazú Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean and the International Convention for the Protection of All Persons from Enforced Disappearance.

## BACKGROUND

General elections were held in June and the newly elected president, Alejandro Giammattei, was due to take office in January 2020.

In September the government decreed a state of emergency for 30 days in 22 municipalities in the east of the country after the killing of three soldiers; the state of emergency was extended for a further 30 days during which raids were reported by community organizations and radio stations.

## IMPUNITY

The highest authorities systematically undermined significant justice and human rights achievements of the last decade.

The government continued to obstruct the work of the CICIG, in breach of the orders of the Constitutional Court, the country's highest court, and refused to renew its mandate, leading to its definitive closure. The CICIG closed in September after 12 years of work. Together with the Public Prosecutor's Office, the CICIG investigated and identified more than 70 criminal structures in more than 120 high-profile corruption cases, several of them related to human rights violations. The inadequate response of the Public Prosecutor's Office to the government's breaches of the Constitutional Court rulings and the lack of a transition plan for the CICIG's closure weakened the rule of law and the fight against impunity.<sup>23</sup>

Discussions progressed in Congress on regressive legislation, such as Bill 5377, which would grant an amnesty to those accused of and even those convicted of crimes under international law and human rights violations perpetrated during the armed conflict (1960-1996).

## HUMAN RIGHTS DEFENDERS

The situation of human rights defenders continued to deteriorate. Those at particular risk were people focusing on the defence of the land, territory and environment, the fight against impunity in cases related to the internal armed conflict or corruption cases taken up by the CICIG. The Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEQUA), a local human rights organization, registered 467 attacks against human rights defenders, including at least 20 killings and attempted killings, in rural areas mostly. The vast majority of these attacks remained unpunished and implementation of internal protocol 5-2018 of the Public Prosecutor's Office for the investigation of these attacks remained inadequate.

Defenders also continued to face smear campaigns on social media, in the national media and by senior officials, including members of the government and Congress, aimed at discrediting their legitimate activities. UDEFEQUA also reported an increased misuse of the criminal justice system through unfounded criminal complaints whose sole purpose was to harass and restrict their legitimate activities. Some such complaints were filed by officials at the highest level.

Congress also moved forward with the discussion of Bill 5257, which could have led to the arbitrary closure and further criminalization of civil society organizations, however, despite numerous attempts, by the end of the year had been unable to pass it into law.

The Human Rights Ombudsperson also faced several criminal complaints and motions by Congress for his removal as a consequence of his defence of human rights. His office also faced severe budget restrictions that limited its ability to carry out its functions.

By the end of 2019, Guatemala had yet to adopt the public policy for the protection of human rights defenders ordered by the Inter-American Court of Human Rights in 2014.

---

<sup>23</sup> Guatemala: Last chance for justice – dangerous setbacks for human rights and the fight against impunity in Guatemala (AMR 34/0611/2019)

## JUSTICE SYSTEM

Serious challenges remained to the independence of prosecutors, judges and magistrates in Guatemala, particularly those working on high-profile cases such as those taken up by the CICIG and cases relating to the internal armed conflict. Judicial officials reported security incidents and faced constant smear campaigns and stigmatization, as well as dozens of criminal, disciplinary and other complaints aimed at punishing them for rulings in favour of human rights and the fight against impunity or at deterring them from taking on such cases. In October, the Inter-American Commission on Human Rights granted precautionary measures to Judge Erika Aifán and three other Constitutional Court magistrates.

In September the Constitutional Court ordered that the selection process for magistrates be suspended and repeated because of serious irregularities, including a lack of performance evaluations of judges and magistrates, which the Judicial Career Council was responsible for carrying out.

## MIGRANTS AND REFUGEES

Violence, inequality and poverty remained the main push factors for forced migration from the country, leading thousands of Guatemalans to seek protection in Mexico and the United States.

Despite this and deficiencies in Guatemala's refugee protection system, in July, the governments of Guatemala and the United States signed an Asylum Cooperative Agreement, also known as a "safe third country" agreement. Under this scheme, from November, the US started return asylum seekers from Honduras and El Salvador to Guatemala, generating serious concerns regarding risks to their rights to life and integrity, and protection from deportation.

---

# HAITI

/ Republic of Haiti

HEAD OF STATE:  
**JOVENEL MOÏSE**

HEAD OF GOVERNMENT:  
**JEAN-HENRY CÉANTA**

(until March 2019); Parliament failed to ratify nominated Prime Ministers Jean-Michel Lapin (acting) and Fritz-William Michel.



In the context of ongoing protests, at least 83 people died in two peak moments during the year (February and mid-September to end of October), many at the hands of the police, according to the UN Office of the High Commissioner for Human Rights (OHCHR). Amnesty International verified videos demonstrating instances of excessive use of force by law enforcement officials. A number of journalists were injured and killed.

## BACKGROUND

Protests went on throughout the year, principally sparked by allegations that senior officials, including President Jovenel Moïse, were implicated in the diversion of up to US\$2 billion in proceeds from oil provided to Haiti by Venezuela on favourable terms.

In February, the Inter-American Commission on Human Rights (IACHR) expressed concern about the political and economic situation and increased violence and problems in the supply of food, fuel, drinking water, and healthcare, and set up a unit to monitor the situation.

In October, the UN peacekeeping mission in Haiti came to an end and the UN Integrated Office in Haiti started operations.

That same month, the UN Secretary-General expressed concern about the political crisis, urged stakeholders to engage in dialogue and called on the Haitian National Police to carry out its duties with regard for human rights.

## EXCESSIVE USE OF FORCE

In February, 41 people died and 100 were injured in the context of protests, according to the OHCHR.<sup>24</sup>

Following weeks of protests between mid-September and the end of October, the OHCHR documented at least 42 deaths, and 86 injuries in the context of protests, with an estimated 19 of those killed by the security forces.

During that same period, Amnesty International's researchers and Digital Verification Corps verified videos of several incidents where police used less-lethal weapons indiscriminately and unlawfully, including by launching tear gas out of a moving police vehicle towards peaceful protesters, firing on protesters with less-lethal ammunition at extremely close range and beating a protester.

Amnesty International also verified instances in which police armed with semi-automatic rifles fired live ammunition during protests, in violation of international policing and human rights standards.<sup>25</sup>

In November, the European Parliament issued an urgent resolution calling on Haiti to refrain from unlawful use of force against peaceful protesters.

## HUMAN RIGHTS DEFENDERS AND JOURNALISTS

In May, human rights defender Pierre Espérance, Executive Director of the National Human Rights Defence Network (Réseau National de Défense des Droits Humains, RNDDH), reported that different sources had advised him that death threats had been made against him.<sup>26</sup>

In September, the Committee to Protect Journalists condemned the shooting of journalist Chery Dieu-Nalio, who was injured after a Senator fired a shot in the air near the senate building.

In October, the IACHR Special Rapporteur on Freedom of Expression stated he was particularly concerned about attacks and killings of journalists.

## ECONOMIC, SOCIAL, CULTURAL RIGHTS

According to the World Bank, more than 6 million Haitians were living below the poverty line and more than 2.5 million fell below the extreme poverty line out of a population of approximately 11 million.

At various points in the year, especially during protest periods, hospitals ran out of essential medicines and treatments and there were cuts in water and electricity supplies, according to media reports.

---

<sup>24</sup> Haiti: Authorities must protect protesters' right to life and deal with underlying causes of the crisis (News story, 18 February)

<sup>25</sup> Haiti: Amnesty International verifies evidence of excessive use of force against protesters (News story, 31 October)

<sup>26</sup> Haiti: Human rights defender – fears for safety (AMR 36/0343/2019)

---

# HONDURAS

/ Republic of Honduras

HEAD OF STATE AND GOVERNMENT:  
**JUAN ORLANDO HERNÁNDEZ**



The Honduran security forces brutally repressed protests between April and June. Human rights defenders continued to be subjected to attacks, including killings and the misuse of criminal proceedings against them. This raised further concerns over the shrinking space for civil society in the country. Persistent high levels of crime and violence, impunity, inequality and poverty led thousands of people to flee Honduras, either individually or as part of several “caravans” seeking refuge in the USA and Mexico. However, in September the governments of Honduras and the United States signed an Asylum Cooperative Agreement, also known as a “safe third country” agreement, provoking well-founded concerns about Honduras’ capacity to ensure the protection of people forced to seek asylum there instead of the US.

## EXCESSIVE USE OF FORCE

The Honduran authorities failed to guarantee the rights to peaceful assembly and freedom of expression during protests against reforms to national health and education services. The security forces used unnecessary and excessive force to repress protests and, on 20 June, the government deployed the army to police demonstrations. At least six people died and dozens more were injured between April and June. Security forces used firearms or less-than-lethal weapons, such as tear gas or rubber bullets, against protesters. Among those killed were 37-year-old Erik Peralta and 17-year-old Eblin Noel Correa Maradiaga, both of whom were shot by members of the Honduran army in June. Military police also opened fire on student protesters in the National Autonomous

University of Honduras on 24 June.<sup>27</sup> Attacks against human rights defenders and journalists covering the protests were also reported.

Impunity prevailed in these cases and for the human rights violations committed in the context of the repression of 2017's post-election protests.

## HUMAN RIGHTS DEFENDERS

Human rights defenders, particularly those working on issues related to the land, territory and the environment, continued to face high levels of violence, including threats, intimidation and killings, as well as stigmatization and smear campaigns on social media. Many also faced unfounded judicial proceedings designed to intimidate and harass them and hamper their human rights work. For example, members of the Municipal Committee for the Defence of Common and Public Assets (Comité Municipal por la Defensa de los Bienes Comunes y Públicos, CMDBCP) faced criminal proceedings before courts that normally deal with cases involving organized crime.<sup>28</sup> The case against 12 of them was dismissed in February. However, in September, seven other human rights defenders were charged and detained pending trial. . After two months in a high security jail, they were transferred in November to the Olanchito detention centre, where they remained at the end of the year.

Most attacks against human rights defenders remained unpunished. Major delays and irregularities continued to hamper the pursuit of justice for the killing on 2 March 2016 of Berta Cáceres of the National Council of Popular and Indigenous Organizations of Honduras (Consejo Cívico de Organizaciones Populares e Indígenas de Honduras, COPINH). On December 2, one year after seven individuals were found guilty of the murder of Berta Cáceres, a court finally handed down prison sentences against them. At the end of the year, David Castillo, a businessman arrested on 2 March 2018 on suspicion of being behind the killing, was still awaiting trial and there had been no progress in the investigation of others believed to be responsible for planning and ordering the killing.

---

<sup>27</sup> Honduras: Exercising the right to protest has a high cost for those who dare take to the streets (News story, 5 July)

<sup>28</sup> Honduras: Autoridades deben garantizar debido proceso a personas defensoras (AMR 37/9929/2019, February)

---

# JAMAICA

/ Jamaica

HEAD OF STATE:  
**QUEEN ELIZABETH II**  
represented by  
Patrick Linton Allen

HEAD OF GOVERNMENT:  
**ANDREW MICHAEL HOLNESS**



The number of killings by law enforcement officials remained high, despite improved investigations and prosecutions of such cases. LGBTI people continued to experience human rights violations.

## BACKGROUND

States of emergency were imposed in several parishes. Throughout the year, the NGO Jamaicans for Justice (JFJ) received reports of arbitrary detention, physical abuse and inhumane detention conditions under the states of emergency.

Jamaica was vocal in the international community in calling for measures to address the climate crisis. In September it signed the Escazú Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, but had yet to ratify it by the end of the year.

Amid alarming reports of violence against children, including in institutions, JFJ, in partnership with the government of Jamaica, launched a Child Protection Programme to improve the identification and reporting of child abuse.

## POLICE AND SECURITY FORCES

Killings by the police, some of which could amount to extrajudicial executions, and other human rights violations by law enforcement officials remained a serious concern. While the number of killings by police had dropped in recent years, in 2019, law enforcement officials shot and killed 86 people and shot and injured 83 people, according to the Independent Commission of Investigations (INDECOM), an independent police oversight body.

INDECOM continued to challenge impunity for such killings through its investigations and prosecutions. As of October 2019, 49 officers were awaiting trial for murder or manslaughter and as of April 2019, 21 convictions had been secured against law enforcement officials – three for murder and three for manslaughter – according to INDECOM.

In August, following a six-and-a-half-year investigation into the fatal shooting of Matthew Lee, INDECOM brought charges against six members of the Jamaica Constabulary Force, an important step for truth, justice and reparation for the many families awaiting access to justice for the cases of their relatives.<sup>29</sup>

Nevertheless, INDECOM's powers to arrest, charge or prosecute continued to be tested through the courts, an issue which could be clarified by Parliament.

In a positive development, in March, Jamaica's highest court of appeal – the Privy Council – ruled in favour of JFJ who challenged the decision of the Police Service Commission (PSC) to promote an officer who was allegedly implicated in dozens of unlawful killings. The court held that the PSC had a duty to conduct investigations into allegations of human rights violations in relation to police officers who are recommended for promotions, especially where there are allegations of police killings.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

Jamaica continued to criminalize same-sex relations and failed to pass comprehensive anti-discrimination legislation. The NGO J-FLAG continued to receive reports of discrimination, exclusion, violent attacks, displacement and police abuse targeted against LGBTI people. Transgender people remained unable to legally change their gender markers and name.

---

<sup>29</sup> Jamaica: Six police officers charged over killing of Matthew Lee (News story, 16 August)

---

# MEXICO

/ United Mexican States

HEAD OF STATE AND GOVERNMENT:  
**ANDRÉS MANUEL LÓPEZ OBRADOR**



A new National Guard was created. Although it was formally a civilian law enforcement body, it was primarily composed of military personnel and headed by an army general. A new law on the use of force did not adequately regulate the use of lethal force and firearms by law enforcement officials, as well as threatening the right to freedom of assembly. Mandatory pre-trial detention was expanded to new criminal offences. Human rights defenders and journalists were harassed, attacked and killed. Women and girls continued to face gender-based violence, including killings. Mexico promised to adopt a human rights-based approach to migration, but, under threat of commercial tariffs by the USA, reversed course, with severe consequences for migrants and asylum-seekers. Impunity persisted for human rights violations and crimes under international law.

## BACKGROUND

The new administration adopted an austerity plan that was strictly applied, affecting various federal government programmes. Initial reports by health workers and civil society have noted how this has risked compromising access to health care for people, in particular, those living with HIV and cancer.

In June, the President declined to attend the presentation of the National Human Rights Commission's annual report, the first President to do so since the Commission was created 28 years ago. Later the same month, the federal government officially rejected the Commission's recommendation in response to a reduction in childcare available for working parents.

Several times during the year, the President publicly belittled the work of civil society organizations. He also banned federal public funding of such organizations affecting, among others, migrant shelters, shelters for women experiencing gender-based violence and human rights organizations.

In March, the Mexican Social Security Institute launched a pilot project, ordered in 2018 by the Supreme Court, to guarantee access to social security for domestic workers. In April, Congress passed a reform to the federal labour law to the same effect. By the end of the year, Mexico had not ratified the Convention Concerning Decent Work for Domestic Workers (ILO Convention No. 189).

During the year, the government held public apology ceremonies for emblematic cases of human rights violations, such as the extrajudicial execution of two students in 2010 and for a case of enforced disappearance, torture and extrajudicial execution of different members of a family in 1977.

## POLICE AND SECURITY FORCES

The new federal administration maintained the militarized approach to policing that had failed under previous governments. In March, a constitutional amendment instituted a civilian National Guard. Although the National Guard was under the civilian Ministry of Security and Citizen Protection, it consisted mostly of members of the armed forces, who received insufficient training to act as law enforcement officials. In addition, the government appointed an army general as its senior commander.

The law on the National Guard entered into force in May and granted the new body broad powers regarding law enforcement, use of force, the investigation of crimes, including the interception of private communications, and migration control.

The government disestablished the Federal Police at the end of 2019 and the Army was tasked with assessing members of the Federal Police to determine whether they were fit to serve in the National Guard or should be transferred to other federal bodies, such as the National Migration Institute.

In May, Congress passed a national law on the use of force that fell short of international human rights law and standards. The law did not accurately incorporate the principles of legality, necessity, proportionality, prevention and protection of life and would allow for the use of lethal force in circumstances not provided for in international law. The National Human Rights Commission challenged the law before the Supreme Court; the Court's decision was pending at the end of the year.

## ARBITRARY ARRESTS AND DETENTIONS

Arbitrary arrests and detentions remained widespread and often led to further human rights violations, such as torture and other ill-treatment. Law enforcement officials continued to disregard the rights of the detainees, including by failing to inform them of the reason for their detention. The constitutional provision allowing detention without charge (arraigo) was not repealed.

In April, a constitutional amendment extended the list of offences for which mandatory pre-trial detention applies. This legislation prevented judges from evaluating whether pre-trial detention was necessary in each case and avoided periodic review of the detention, thus violating the principle of the presumption of innocence in criminal proceedings.

In May, Congress passed a law requiring the creation of a national unified register to record every detention by law enforcement officials. However, federal and state governments had not fully implemented the law at the end of the year.

## ENFORCED DISAPPEARANCES

Enforced disappearances by state agents and disappearances committed by non-state actors continued to be a concern; those responsible enjoyed almost total impunity. Federal authorities declared that by 31 December at least 61,637 people were missing.

During the year, the government focused on a strategy to address the lack of capacity to carry out forensic examinations of unidentified bodies. In March, the President announced the reinstatement of the National People Search System. The government reported that from December 2018 until December 2019, 873 clandestine graves containing 1,124 bodies had been found. On 30 August, the government announced that Mexico would recognize the competence of the UN Committee on Enforced Disappearances to consider individual cases. By the end the year, this recognition had not yet been implemented.

The government set up a special commission into the case of 43 Ayotzinapa college students forcibly disappeared in 2014 and the Attorney General's Office created a special unit to investigate the case. The President ordered the resumption of international assistance on the case. Federal judges ordered the release from pre-trial detention of several people accused in this case after finding that much of the evidence against them was inadmissible; some of the evidence presented was obtained through torture and other ill-treatment.

Mexico made no substantive progress in complying with the 2018 judgment of the Inter-American Court of Human Rights in the case of Alvarado Espinoza that found Mexico responsible for the enforced disappearance of three people by the Mexican army.

In August, the UN Human Rights Committee ruled that Mexico was responsible for the 2010 enforced disappearance of Christian Téllez Padilla, in Veracruz state. It was the first time a UN body issued a binding resolution on disappearances in Mexico.

## TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment continued to be a major concern. Investigation into reports of torture were generally flawed and those responsible were rarely brought to justice.

Starting in April, the government and NGOs drafted the National Programme for the Prevention and Punishment of Torture and Ill-treatment; the document had not been published by the end of the year.

In May, the UN Committee against Torture published its findings on Mexico and expressed concern at the very high incidence of torture and other ill-treatment, including sexual violence, by members of the security forces and investigating officers.

## VIOLENCE AGAINST WOMEN AND GIRLS

Gender-based violence against women and girls continued to be widespread. The authorities failed to investigate these crimes and perpetrators were rarely brought to justice. The authorities opened 1,006 investigations into gender-based killings (femicides).

Sufficient and up-to-date data on gender-based killings and violence was not available. However, official data for 2018 was published indicating that 3,752 women were considered to have been the victims of homicide, pending further investigations. The most recent official statistics on gender-based violence, those for 2016, estimated that 66.1% of women and girls aged 15 or above had experienced gender-based violence at least once in their lives and that 43.5% of women had experienced gender-based intimate-partner violence.

The authorities kept 20 protocols known as “Alerts of gender-based violence against women” operational in 18 states. Established by the General Law on Women's Access to a Life Free from Violence, the Alert mechanisms rely on coordinated efforts to confront and eradicate violence against women and girls. By the end of the year, there was no indication that the Alert mechanisms had reduced gender-based violence.

In August, several cases of sexual violence against women and girls sparked outrage and demonstrations in Mexico City and other cities. The Mexico City government initially dismissed the protests as acts of provocation and stated that it would initiate criminal investigations against demonstrators for damage to buildings. Subsequently, apparently in reaction to public outrage, the government changed its position and stated that it would respect the right to freedom of assembly and investigate cases of violence against women and girls.

In September, the Congress of the State of Oaxaca, approved a bill that decriminalized abortion during the first twelve weeks of pregnancy. In October, the bill was published in the Official Gazette.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

Same-sex couples were able to marry in Mexico City and 18 states. Couples in states where laws or administrative practice did not allow for same-sex marriage had to file a constitutional complaint (amparo) before federal tribunals to have their cases reviewed and their rights recognized. Same-sex marriage was approved by changes in the laws of Baja California Sur, Hidalgo, San Luis Potosí and Oaxaca and by Supreme Court orders in the states of Aguascalientes, Nuevo León and Sinaloa.

In April and again in July, the Yucatán Congress rejected, through an unlawful secret ballot, a legal reform to allow same-sex marriage. In October, the Congress of Puebla also rejected a legal reform. From May, same-sex couples were able to marry in Mexico's consulates and diplomatic premises, following an order of the Ministry of Foreign Affairs.

## HUMAN RIGHTS DEFENDERS

Human rights defenders continued to be threatened, harassed, and attacked because of their work; at least 23 were killed according to Frontline Defenders, 14 were Territory, Land and Environmental Rights Defenders (TLERDs). The authorities made no significant progress in the investigations into these killings. Two people were detained awaiting trial for the 2018 murder of Julián Carrillo, an Indigenous human rights defender in Chihuahua state.

On 20 February, in Morelos state, Samir Flores Soberanes was shot dead after receiving death threats in connection with his human rights work. He was a member of the grassroots organization the Peoples' Front for the Defence of the Land and Water.

On 3 August, unidentified armed men forcibly abducted Aarón Méndez and Alfredo Castillo, both members of the migrants' shelter Casa AMAR, in Tamaulipas state; their fate and whereabouts remained unknown at the end of the year.

After a sustained campaign by civil society, the Attorney General's Office and the Federal Electricity Commission (CFE) dropped the charges against human rights defenders from the Tosepan Cooperative Union, the Independent Rural and Urban Popular Movement for Workers and Farmers, and the Committee on Holistic Land Use Planning of Cuetzalan, which had been brought over their involvement in public demonstrations against a CFE project that sought to build an electricity substation in Cuetzalan, Puebla state.

The National Protection Mechanism for human rights defenders and journalists provided protective measures to 1,086 people: 721 human rights defenders and 365 journalists. The Mexican government accepted the recommendations of an analysis presented by the Office of the UN High Commissioner for Human Rights regarding the Mechanism and made a public commitment to implement them.

Mexico had not yet ratified the Regional Agreement on Access to Information, Public Participation and Justice on Environmental Matters in Latin America and the Caribbean (the Escazú Agreement), which provides for protection for environmental defenders.

## MIGRANTS, REFUGEES AND ASYLUM-SEEKERS

The authorities started the year, as part of a human rights-based approach to migration, by providing thousands of humanitarian visas to people who arrived in "caravans" from Central America. However, by June, the policy had been reversed and 6,000 National Guard officers were deployed to the Mexico-Guatemala border. This followed threats from the USA to impose commercial tariffs on Mexico unless increased migration controls were put in place. The use of the National Guard to control migration was challenged in the Supreme Court by the National Human Rights Commission and the UN Committee on the Elimination of Racial Discrimination, which highlighted the risk of discriminatory actions by the security forces.

Migration detention centres registered record levels of overcrowding and at least three people died in the custody of the National Migration Institute in circumstances related to their detention, among them a ten-year-old girl. Across 2019, at least 51,999 children had been held in immigration centres, in violation of Mexican law and international standards.

There were several mass arbitrary arrests and detentions, including the apprehension of approximately 400 people in June on a highway near Tapachula, Chiapas state. COMAR, the federal refugee agency, received 70,302 asylum claims, up from 29,630 in 2018. The largest number of asylum-seekers were from Honduras, followed by El Salvador, Cuba and Venezuela. The authorities were underequipped to process claims and waiting times increased. Mexico received nearly 60,000 asylum-seekers returned by the USA under the "Migration Protection Protocols" or "Remain in Mexico" plan. Mexico provided them with simple paper permits to stay in the country yet returned many to their countries of origin in possible violation of the principle of non-refoulement. Up to December, migration authorities detained 186,750 irregular migrants and deported 123,239. The vast majority (98%) of those deported were from Central America and nearly half were from Honduras.

## FREEDOM OF EXPRESSION AND ASSEMBLY

Journalists continued to be threatened, harassed, attacked and even killed. At least 10 journalists were killed. The authorities made no significant progress in investigating these crimes. No substantial plan to protect journalists was announced by the federal government during the year. Journalists expressed concern about the president's disparaging of journalists and media outlets that criticized his policies, which could cause a chilling effect.

The national law on the use of force provided protection during demonstrations only if law enforcement officials considered the protests to have a legitimate purpose. The law did not indicate that, during public assemblies, the use of force should be restricted to situations where it was necessary to contain violent individuals or to disperse participants if the violence is widespread and no alternative is available. The law did not provide for an obligation to try to de-escalate tensions and to seek alternatives to avoid the use of force.

In July, the Congress of the state of Tabasco passed a reform to the state criminal code that criminalized public demonstrations. It provided for lengthy prison terms for actions opposing any public or private project or works and for obstructing roads or other means of communication. Various state officials, including the President, publicly applauded the law.

In October, the Supreme Court of Mexico City condemned journalist Sergio Aguayo to payment of 10 million Mexican pesos (USD 520,000) in damages for the publication in 2016 of an opinion piece concerning the former governor of Coahuila, Humberto Moreira Valdés. The ruling constitutes a form of punishment and intimidation, improperly affecting freedom of expression in public debate.

---

# NICARAGUA

/ Republic of Nicaragua

HEAD OF STATE AND GOVERNMENT:  
**DANIEL ORTEGA SAAVEDRA**



Nicaragua's worst human rights crisis in decades continued throughout 2019. Widespread social protests, triggered by a series of social security reforms announced in April 2018, continued across the country. In response to demonstrations, the authorities adopted a strategy of violent repression. By the end of 2019, at least 328 people had been killed, primarily by state security forces and pro-government armed groups, and more than 2,000 others had been injured since the start of the crisis. Hundreds of people were arbitrarily detained and tens of thousands were forced to flee to Costa Rica. Gender-based killings continued and a total ban on abortion remained in place. Impunity persisted for perpetrators of violence against Indigenous Peoples and other human rights violations.

## INTERNATIONAL SCRUTINY

During the first months of the crisis in 2018, the Nicaraguan government granted the UN High Commissioner for Human Rights and the Inter-American Commission on Human Rights (IACHR) access to the country. However, by the end of 2018, the authorities had expelled both mechanisms and withdrawn permission for them to enter the country.

During 2019, the government remained closed to international scrutiny and did not allow international human rights bodies to enter. In September 2019, during the session of the UN Human Rights Council, the Nicaraguan government rejected the report presented by the UN High Commissioner for Human Rights, Michelle Bachelet. It also rejected 124 of the 259 recommendations made by the UN Human Rights Committee in the framework of its examination of the country's human rights record under the

Universal Periodic Review (UPR) process; the rejected recommendations were mainly related to the current crisis. Also, in September, the authorities decided to deny the Commission on Nicaragua, created by the Permanent Council of the Organization of American States, access to the country.<sup>30</sup>

## FREEDOM OF EXPRESSION AND ASSEMBLY

During the year, the exercise of rights to freedom of expression and peaceful assembly were met with violent repression.<sup>31</sup> In October 2018, the National Police announced that any demonstration or mobilization must obtain prior authorization from the police authorities. In this context, local groups reported the systematic denial of permits for peaceful demonstrations by the National Police, arbitrary arrests of protesters and excessive police presence during demonstrations and religious celebrations as a form of intimidation.<sup>32</sup>

As a result of the strategy of repression against protests and dissenting voices, at least 65 people remained in detention for political reasons at the end of 2019.<sup>33</sup>

The director and chief of information of the media outlet 100% Noticias were released in June 2019. The two journalists had been detained in December 2018 and charged with hate speech and 'terrorism'-related crimes. However, according to media reports, in October the government informed the Inter-American Commission on Human Rights that it would not return the facilities of 100% Noticias confiscated at the time of their arrest in December 2018.

Printed newspapers faced a precarious situation due to a decision by customs offices to continue impounding imported paper and ink.

By the end of 2019, at least 100 journalists and media workers had fled the country.

## UNFAIR TRIALS

Violation of due process against those facing politically motivated charges persisted. Ineffective legal remedies and violations of the right to an adequate legal defence continued to be reported. In June 2019, an Amnesty Law was adopted which was widely criticized as posing a potential obstacle to freedom of expression and peaceful assembly, and endangering victims' right to an effective remedy.

In addition, there were serious concerns among former detainees and national organizations regarding the legal situation of released detainees who had been apprehended in the context of the protests. Widespread concern persisted that cases were not filed or closed. Moreover, intimidation and harassment by the police, pro-government armed groups and local surveillance networks linked to the government were constantly reported by those released and their families.

On 14 November 2019, the Nicaraguan police detained 16 activists as they left the San Miguel Church in Masaya. The activists, who were later charged by the Attorney General's Office with illegal arms trafficking, were giving water to a group of relatives and activists who were on a hunger strike to demand the release of people detained for participating in the protests. In December, 91 people were released from prison, among them the 13 activists. Local NGOs reported that those released were not acquitted and that the 16 activists still faced charges.

---

<sup>30</sup> Nicaragua: OAS member states must continue to work tenaciously against repression (News, 1 October 2019).

<sup>31</sup> Nicaragua: Still governing by repression a year after crisis began (News, 25 April 2019).

<sup>32</sup> Nicaragua: Human Rights Council must respond to gravity of OHCHR report (AMR 43/1023/2019).

<sup>33</sup> Nicaragua: Más de 130 personas continúan detenidas (AMR 43/1249/2019)

## RIGHT TO LIFE AND PHYSICAL INTEGRITY

There were continuing reports of torture and other cruel, inhuman or degrading treatment of prisoners detained in the context of the protests that started in April 2018.

In May, a policeman shot and killed a 57-year-old detainee, Eddy Montes, following a protest at La Modelo prison. At least 11 other detainees and six police officers were injured during this protest. Although the authorities claimed that Eddy Montes had attempted to steal an officer's gun, the UN High Commissioner for Human Rights reported receiving information indicating that he was shot from a distance of approximately 4m.

According to the Nicaraguan Centre for Human Rights (CENIDH), there was an increase in the number of targeted killings of campesinos who had been identified as participants in the protests or opponents of the government. CENIDH reported that up to August at least 17 people were killed, allegedly as a result of increased activity by pro-government armed groups in rural areas.

## HUMAN RIGHTS DEFENDERS AND FREEDOM OF ASSOCIATION

The Nicaraguan authorities continued targeting journalists, human rights defenders and local NGOs. In September, the UN High Commissioner for Human Rights stated that government officials continued to discredit and harass human rights defenders, journalists and those who were critical of the government, leading to a further significant restriction of civic space.

The work of local NGOs was seriously hindered during the year. By the end of 2019, the legal registration of nine human rights organizations, which had been cancelled by the National Assembly in December 2018, had not been restored. The authorities had withdrawn registration and confiscated their assets. In October, the Inter-American Court of Human Rights granted provisional measures to protect members of the CENIDH and the Permanent Commission of Human Rights, because of the serious risks to their lives and physical integrity.

In November, the Inter-American Court of Human Rights issued its decision on Nicaragua's compliance with the 2017 *Acosta et al. v. Nicaragua* judgement. In 2017, the Court had found the state responsible for having violated the rights to access to justice, truth and physical integrity of human rights defender María Luisa Acosta, following the murder of her husband, Francisco García Valle. More than two years later, in the 2019 judgment, the Court indicated that the State has not taken any action nor made progress towards overcoming partial impunity in the case, and that Nicaragua's express position not to comply with its obligation to investigate constitutes contempt. Moreover, the Court added that far from observing a substantial improvement in protection of human rights defenders since the 2017 judgement, it noted that the situation has significantly worsened.

In December, the Inter-American Commission on Human Rights granted precautionary measures in favor of 17 women human rights defenders in Nicaragua that, in the current context of the crisis, have been subjected to harassment, intimidation, death threats and attacks.

## FORCED MIGRATION

Tens of thousands of Nicaraguans were forced to flee the country during the crisis. According to the IACHR, more than 96,000 people had left Nicaragua by the end of 2019.

On 15 April, Nicaragua's government reported that it had established a "Programme on the Assisted Voluntary Return of Nicaraguans who left the country in the context of events that occurred after 18 April 2018". The programme was created without the consensus of the ongoing negotiating forum set up by the government and the Civic Alliance for Justice and Democracy, a civil society body. The Civic Alliance described the decision to establish the programme as unilateral and stated that it was not in line with the agreements signed with the government as it does not grant personal and family security to all exiles.

Local NGOs and media outlets reported that some of those who had returned from exile had been subjected to harassment by the authorities and pro-government groups.

## WOMEN'S RIGHTS

Abortion remained banned in all circumstances and violence against women continued to be a fundamental obstacle to women's rights.

In 2019, there were at least 60 gender-based killings of women, according to media reports and the NGO Catholics for the Right to Decide. In September, the Articulation of Social Movements, a local network, reported that a decision by the authorities to limit the definition of femicide solely to intimate-partner killings committed in the private sphere had led to the apparent reduction in femicides reflected in official data.

## INDIGENOUS PEOPLES' RIGHTS

Impunity persisted for crimes such as killings, rapes, kidnappings, enforced disappearances and death threats against communities in the context of territorial disputes between Indigenous peoples and non-indigenous settlers attempting to illegally occupy Indigenous territories in the North Atlantic Autonomous Region.

In May, community authorities and NGOs informed the IACHR that the government has failed to fulfil the precautionary measures issued by the Inter-American Court of Human Rights in favour of Indigenous peoples and that non-indigenous settlers continued to occupy ancestral territories and exploit their natural resources, with the acquiescence of the state. As a result, forced displacement continued to affect communities' access to their rights to food, education and means of subsistence.

In August, local media reported that during a public event President Ortega stated that his administration remained committed to promoting the construction of the Grand Interoceanic Canal. This statement sparked renewed fears and concerns among Indigenous Peoples about the lack of respect for their right to free, prior and informed consent on this mega-project.

According to media reports and local groups, violence also flared in the South Atlantic Autonomous Region where members of Indigenous communities were attacked and killed in the context of illegal occupations of their territories.

In December, the Alliance of Indigenous and Afrodescendant People of Nicaragua denounced that a majority of Indigenous and Afrodescendant government structures had been supplanted by parallel structures imposed by authorities from the governing party.

---

# PARAGUAY

/ Republic of Paraguay

HEAD OF STATE AND GOVERNMENT:  
**MARIO ABDO BENÍTEZ**



On 2 December, the President withdrew from Congress a bill to ratify the Escazú Agreement<sup>34</sup> on environmental matters.

Discrimination and violence against lesbian, gay, bisexual, transgender and intersex (LGBTI) people continued. Despite some progress on access to justice, truth and reparation, Indigenous Peoples continued to be subjected to forced eviction and displacement. Human rights defenders continued to be criminalized. The independence of the judiciary remained a concern.

## INDIGENOUS PEOPLES' RIGHTS

On 3 March, about 50 people, including armed individuals, entered the ancestral lands of the Ysati “July 3” community in the Itakyry district, burning crops and six of their houses containing all their belongings. Fifty-five people, including 38 children, were displaced and forced to seek shelter in precarious conditions in a nearby community. The local prosecutor opened an investigation into these attacks which was continuing at the end of the year.<sup>35</sup>

On 27 June, the authorities handed over 140 homes and the first part of a development fund to the Sawhoyamaxa community, as part of its compliance with a 2006 ruling by the Inter-American Court of Human Rights. On 10 December, after approval by the Congress, the President issued Law 6.465/19 to expropriate a piece of land necessary to build a road that would allow the Yakye Axa Indigenous community, beneficiary of a 2005 ruling by the Inter-American Court of Human Rights, to access their lands.

---

<sup>34</sup> Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.

<sup>35</sup> Paraguay: Attacks on Ysati community under investigation (AMR 45/0734/2019)

In July 2019, the Paraguayan Indigenous Institute reported a fiscal agent with Criminal Unit No. 3 in Hernandarias to the State Attorney General. It alleged she had misused the criminal justice system against Indigenous Ava Guaraní communities in Itakry district in the context of a dispute over land titles with individuals. The Prosecutor's Office had yet to appoint a prosecutor to investigate this complaint by the end of the year.<sup>36</sup>

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

On 27 September, the Mayor of Hernandarias issued Resolution 3076/19 which prohibited a march called by Diversxs Alto Paraná, an LGBTI collective, on the grounds that he considered it contrary to "public morals". He also confirmed Resolution 036/19, which declared Hernandarias a "Pro-Life and Pro-Family City".

Despite this ban, Diversxs decided to go ahead with the march. Members of the collective were verbally and physically assaulted by anti-rights groups and the National Police failed to intervene to protect them or detain the attackers. Some members of Diversxs filed criminal complaints about these incidents.

On 14 October, Amnesty International and Diversxs, with the support of REPADIS and It Gets Better Paraguay, filed an action of unconstitutionality against both resolutions on the grounds that they violate the rights to freedom of expression, assembly, peaceful protest and equality, among others.<sup>37</sup>

## INDEPENDENCE OF THE JUDICIARY

On 13 August, the Jury for the Prosecution of Magistrates decided to sanction Judge Emiliano Rolón. The decision followed a complaint filed by the Attorney General, head of the Public Prosecutor's Office, in October 2018 against him and Judge Arnaldo Martínez, for allegedly failing to discharge their obligations properly. On 30 May, Judge Arnaldo Martínez resigned his post stating that this process was unconstitutional and interfered with judicial independence.

In July 2018, both judges had voted to acquit 11 campesinos who had previously been convicted in the Curuguay case and not to initiate a new trial, after identifying serious violations of due process in the Public Prosecutor's investigation. In addition, the Public Prosecutor's Office only investigated the deaths of the six police officers, excluding the deaths of 11 campesinos, which remained unpunished at the end of the year.

In September 2019, Amnesty International noted the need to address with due diligence, independently and impartially, cases of sexual harassment reported in Paraguay. This followed a case brought by María Belén Whittingslow Castañé against her teacher, member of the Jury for the Prosecution of Magistrates, which was dismissed without a detailed analysis of the evidence she provided describing the acts of harassment. Her allegations were dismissed as "courtship and wooing" and the defendant's word was accepted as evidence without analysing the texts of the messages or the evident asymmetry of power between María Belén and the teacher.

## RIGHT TO HOUSING AND FORCED EVICTIONS

On 19 September, the Public Prosecutor's Office and the Ministry of the Interior left the Joint Action Plan for Cases to Deal with the Offence of Trespass without effect. Nevertheless, the proposed alternative intends that evictions are carried out more quickly and without complying with international human rights standards.

On 27 August, the Tekoha Sauce Indigenous community was notified of an eviction process being pursued by the Itaipu Binacional hydroelectric company (Paraguay-Brazil) against its members, including leaders Cristóbal Martínez and Amada Martínez. The company claimed that the community had illegally settled on its property.<sup>38</sup>

---

<sup>36</sup> Paraguay: Amnesty International brings unconstitutionality proceedings against resolutions that discriminate against LGBTI people (News story, 14 October)

<sup>37</sup> Paraguay: Amnesty International brings unconstitutionality proceedings against resolutions that discriminate against LGBTI people (News story, 14 October)

<sup>38</sup> Paraguay: Indigenous community at risk of eviction (AMR 45/0614/2019)

The authorities had yet to respond to the request for the restitution of territory to the community, which had been displaced in the 1970s by the construction of the Itaipú Hydroelectric Plant. However, a draft bill was proposed by the Indigenous Peoples' Commission of the Senate to determine, within the Limoy Reserve, a protected area that could be used as Indigenous conservation territory, which would allow the community to practice traditional hunting and fishing.

## HUMAN RIGHTS DEFENDERS

On 12 July, the last criminal proceedings against Andrés Brizuela, defender of land-related rights of the Guahory campesino community, ended as the result of an agreed court settlement. He had been accused of breaking into the house of someone who had claimed ownership of community land.

On 28 August, a court acquitted human rights activist Ernesto Ojeda of charges of “coercion, aggravated coercion, deprivation of liberty and resistance” in the city Fernando de la Mora. The charges related to events in September 2017, when Ernesto was 17 years old and was executive coordinator of the National Federation of Students. The proceedings were a disproportionate response by the criminal justice system, criminalizing human rights activism.

---

# PERU

/ Republic of Peru

HEAD OF STATE AND GOVERNMENT:  
**MARTÍN VIZCARRA CORNEJO**



Land and territory-related rights remained at risk and a lack of effective regulations undermined Indigenous People's rights to free, prior and informed consent. Socio-environmental issues continued to be a major cause of social conflicts. The state failed to respond effectively to continuing high rates of violence against women and pregnancy among girls.

## BACKGROUND

The political crisis continued, characterized by a confrontation between the Executive and Legislative branches of government. In September, in the context of this ongoing crisis, President Vizcarra dissolved Congress, where the majority Fuerza Popular Party was led by Keiko Fujimori, who was held in pretrial detention for over a year and remains under investigation for money laundering. Elections were scheduled for January 2020.

## IMPUNITY

In January, the medical panel that evaluated the health of former President Alberto Fujimori as a result of a court order, concluded that he was healthy enough to be released from the local hospital where he had been treated and he was returned to prison to complete his 25-year sentence for crimes against humanity. The pardon granted to him in 2017 was annulled in 2018.<sup>39</sup> Alberto Fujimori was also under investigation in connection with the forced sterilization of more than 2,000 women without their consent in the 1990s.

---

<sup>39</sup> Peru: Supreme Court confirms annulment of Fujimori's pardon and supports victims' rights (News story, 13 February)

## FREEDOM OF EXPRESSION AND ASSEMBLY

In August, in response to peaceful protests against the Tía María mining project, President Vizcarra authorized the deployment of the armed forces to maintain public order in the port of Matarani in the province of Arequipa. This response was counter to international human rights standards which set out strict limits on the use of the armed forces in public order operations.

There were continuing concerns about the imposition of states of emergency to respond to peaceful protests against oil, mining and other infrastructure projects in the country. In October, the government declared a state of emergency for 30 days in the “southern mining corridor” in response to a protest against the Las Bambas mining project. The decree, which allowed for the deployment of the armed forces to police protests, prevented local communities in the area from holding communal assemblies.

## HUMAN RIGHTS DEFENDERS

Concerns remained regarding the misuse of the justice system against human rights defenders, often in the absence of credible evidence to support the charges against them. In May, after almost five years of criminal proceedings, the trial of 19 members of campesino communities in the Apurímac region began. They had been charged in connection with protests in 2015 against the Las Bambas mining project.

In September, the second trial of Oscar Mollohuanca, Herbert Huaman and Sergio Huamani started. The three men were charged with leading a social protest in May 2012 in Espinar province in the Department of Cusco. The protest was in support of the people of Espinar’s demands for the protection of their right to a healthy environment and for the agreement between the mining company and the municipality of Espinar to be revised.

In 2019, criminal proceedings against journalists Paola Ugaz and Pedro Salinas were adjourned. They had been charged in connection with complaints of defamation filed by José Antonio Eguren, Archbishop of Piura y Tumbes, regarding the publication of reports based on their investigations into the Sodalitium Christianae Vitae (Sodalitium of Christian Life) society. However, Paola Ugaz continued to be the target of other defamation complaints and campaigns by anti-rights groups.

## RIGHT TO HEALTH

The National Platform of Affected Persons created in 2017 continued to demand public policies to ensure medical care for those exposed to toxic metals and other toxic substances; no such policies were in place by the end of 2019.

## INDIGENOUS PEOPLES’ RIGHTS

The exposure of Indigenous Peoples and their communities, as for example in Cuninico and Espinar, to toxic metals and contaminated water continued to be a concern. In Cuninico, the 2018 court ruling ordering the Ministry of Health and the Loreto Regional Health Directorate to provide health care to the communities affected by a 2014 oil spill had not been complied with by the end of 2019.

In August, the prior consultation process regarding the Rules of Procedure of the Framework Law on Climate Change was completed. The regulation was approved on 31 December.

## WOMEN’S RIGHTS

Policies and laws promoting women rights continued to come under sustained attack. In March, the Supreme Court of Justice dismissed a suit filed by anti-rights groups seeking to eliminate gender equality from the national educational curriculum.

## VIOLENCE AGAINST WOMEN AND GIRLS

According to the National Homes Survey 2018 (ENDES), 68.2% of women in Peru have been victims at least once in their lives of psychological, physical and/or sexual violence committed by their husband or partner. Between January and September 2019, the Ministry of Women and Vulnerable Populations stated that 133,123 cases of violence against women, violence within the family and sexual violence had been reported to their Women’s Emergency Centres nationally. The Ministry of Women and Vulnerable Populations recorded 166 feminicides and 404 attempted feminicides in 2019.

## SEXUAL AND REPRODUCTIVE RIGHTS

Pregnancy rates among adolescent girls remained high. According to the 2018 ENDES survey, 13 out of 100 teenage girls aged between 15 and 19 had children or were pregnant for the first time. The law continued to criminalize abortion in cases of rape.

## LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX RIGHTS (LGBTI)

More than two years after it was presented in Congress, the bill to recognize same-sex marriage had yet to be approved.

Transgender people continued to be denied social and legal recognition of their gender identity, affecting their rights to work, housing, education, free transit and health, among others.

## MIGRANTS AND REFUGEES

Peru became the country with the second largest population of Venezuelans fleeing their country and with the largest number of Venezuelans seeking asylum. According to official reports, by the end of the year, there were 863,613 Venezuelans in Peru, 377,047 of whom were seeking asylum. During 2019, the government imposed stricter requirements on Venezuelans seeking safety, and changes to asylum procedures at the Peru-Ecuador border appeared to amount to a deliberate policy of rejection of new arrivals. In addition, several Peruvian authorities at the national, regional and municipal levels issued xenophobic statements, such as requesting the deportation of all Venezuelans.

---

# PUERTO RICO

/ Commonwealth of Puerto Rico

HEAD OF STATE:  
**DONALD TRUMP**

HEAD OF GOVERNMENT:  
**WANDA VÁZQUEZ GARCED**  
(replaced Ricardo Rosselló in July)



Two years after hurricane Maria, tens of thousands of people remained living under blue tarpaulin sheets. The authorities tried to limit freedom of expression and association through excessive use of force. Civil society organizations were forced to litigate to access public information. Activists mobilized around the climate crisis and around bills which, if passed, stood to undermine lesbian, gay, bisexual, transgender and intersex (LGBTI) rights. Governor Wanda Vázquez Garced declared a state of national alert due to the high levels of gender-based violence.

## BACKGROUND

In July, Ricardo Rosselló resigned as governor following days of mass protests. The protests, prompted by the leak of a Telegram chat between the governor and members of his inner circle, included, among other things, homophobic and sexist slurs and dismissive comments about those who had died during hurricane Maria.

## FREEDOM OF EXPRESSION AND ASSOCIATION

During the two weeks of protests which led to Governor Rosselló's resignation, 20 people were injured and 17 arrested, according to the NGO Kilómetro 0. The New York Times verified video footage which showed that the Puerto Rican police had used tear gas on crowds in confined streets, fired rubber bullets at close range and beaten protesters not posing a threat, in circumstances that amounted to unnecessary or excessive use of force.

## LACK OF ACCOUNTABILITY

Throughout the year, civil society organizations were forced to litigate to access public information, adding additional obstacles to their work.

In June, Kilómetro 0 won its case to access police reports which registered the use of force by agents.

In August, following widespread criticism, a disaster plan – setting out how the government and other actors would respond in the event of another catastrophic hurricane or earthquake – was also finally made public. This was only after litigation in 2018 by the Centre for Investigative Journalism, which had forced the authorities to release a partial, unfinalized plan.

## CLIMATE CRISIS

A 2018 US Global Change Research Program report to the US Congress indicated that Puerto Rico's coasts stand to be seriously affected by rising sea levels caused by climate change, including because the island's dependence on imports makes it more vulnerable to climate-related impacts.

In October, civil society organizations held a public forum to discuss action on climate change, rising sea levels and their impact on communities at greatest risk of the impacts of climate change, entitled, “The sea is rising, and so are we”.

## RIGHT TO HOUSING

Two years after hurricane Maria, tens of thousands of people continued to live under blue tarpaulin sheets, initially provided by the Federal Emergency Management Agency (FEMA) as a temporary emergency solution for families who had lost their homes during the hurricane.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

In May, Governor Rosselló presented Senate Bills 1254 and 1253. The first sought to prohibit health professionals from offering so-called “conversion therapies”, which falsely allege they can change an individual's sexual orientation or gender identity. However, the Bill failed to explicitly prohibit the provision of such therapies by religious organizations.

The second Bill sought to protect the right to act, or to abstain from acting, based on an individual's religious beliefs and, like similar “religious freedom” bills introduced in the USA, could have allowed the notion of so-called “religious freedom” to be used to discriminate against LGBTI people.

In April, more than 30 civil society organizations expressed concern over both bills.

In June, Governor Rosselló retracted the bills after widespread public debate and controversy.

## VIOLENCE AGAINST WOMEN AND GIRLS

In the first six months of the year, the police received 3,880 reports of domestic violence and by August nine women had been killed in contexts of domestic violence, according to the Women's Advocate Office.

According to news reports, in September, the Department of Forensic Science had a backlog of at least 2,000 unprocessed rape kits.

In September, following repeated demands by civil society organizations to implement a state of emergency due to the high number of cases of gender-based violence, Governor Vázquez declared a state of national alert. While the measure fell short of the demands made by women's organizations, the move was an important step which recognized the extent of gender-based violence on the island.

---

## TRINIDAD AND TOBAGO

/ Republic of Trinidad and Tobago

HEAD OF STATE:

**PAULA-MAE WEEKES**

HEAD OF GOVERNMENT:

**KEITH CHRISTOPHER ROWLEY**



The authorities registered more than 16,500 Venezuelans who were given temporary visas. However, following the registration process, the government continued to criminalize the irregular entry of migrants and refugees, contrary to international standards; failed to pass national refugee legislation; and continued to return Venezuelans, in circumstances which may amount to refoulement. There remained no legal protections against discrimination based on sexual orientation and gender identity. Trinidad and Tobago retained the mandatory death penalty for murder.

### BACKGROUND

Between April and May, two boats carrying Venezuelans seeking safety were shipwrecked on route to Trinidad, leaving at least 50 people missing and 10 survivors, according to news reports.

In October, dozens of people were found chained and in cages in a so-called rehabilitation centre, allegedly run by a religious group for former prisoners and people who use drugs, according to media reports.

### REFUGEES AND ASYLUM-SEEKERS

By the end of October, almost 14,000 Venezuelans had lodged asylum claims, according to the UN High Commissioner for Refugees (UNHCR), the body mandated to process such claims. Despite this, the authorities in Trinidad and Tobago refused to recognize the seriousness of the human rights violations taking place in neighbouring Venezuela. State officials continued to refer to those fleeing as “economic migrants”, despite UNHCR indicating that “the majority” of those fleeing Venezuela needed international protection.

An outlier in the region, Trinidad and Tobago remained one of the few Latin American countries, also confronted with Venezuelans fleeing human rights violations, to have no national legislation on refugees, meaning in practice that people who apply for asylum or who are granted refugee status have no access to many of the rights granted under the Convention relating to the Status of Refugees (1951 Refugee Convention) and its Protocol (1967), to which Trinidad and Tobago is party.<sup>40</sup>

In May and June, during a two-week period, the government opened a so-called “amnesty” process for Venezuelans to apply for legal residency. According to government data, approximately 16,500 Venezuelans were registered during the period and later given temporary visas and the right to work.

However, following the closing of the process, the authorities continued to enforce immigration laws which criminalize irregular entry, contrary to international standards; closed ports of entry by sea to Venezuelans; and implemented new visa requirements for Venezuelans.

Nevertheless, Venezuelans continued to take dangerous risks to arrive by sea.

In October, according to media reports, the authorities returned at least 17 Venezuelans who had arrived by boat, which may amount to refoulement.

During the year, Cubans lodged the second highest number of asylum claims.

Asylum-seeking and refugee children were unable to access public education, despite the country having ratified the Convention on the Rights of the Child and being party to the Refugee Convention which, in Article 22, requires states to provide refugees “the same treatment as is accorded to nationals with respect to elementary education.”

Throughout the year, and especially during the registration process, faith-based organizations across the country provided Venezuelan migrants and refugees with food, water and shelter.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

A landmark judgment from a High Court in 2018 decriminalized sexual activity between consenting adults of the same sex. However, the government appealed the judgment, stating it intends to have this case heard by the country's highest appellate court, the Judicial Committee of the Privy Council in the UK.

There remained no legal protection against discrimination based on sexual orientation or gender identity. The NGO Coalition Advocating for Inclusion of Sexual Orientation-Trinidad and Tobago received reports of some incidents of discrimination and violence towards LGBTI people.

## DEATH PENALTY

Trinidad and Tobago remained the only country in the Americas region to retain the mandatory death penalty for murder. New death sentences were imposed during the year for this offence, but no execution has taken place since 1999.

---

<sup>40</sup> Open Letter to Keith Christopher Rowley, Prime Minister of Trinidad and Tobago (AMR 49/0448/2019)

---

# UNITED STATES OF AMERICA

/ United States of America

HEAD OF STATE AND GOVERNMENT:  
**DONALD TRUMP**



In 2019, the Trump administration launched discriminatory attacks, through both policy and practice, against the human rights of some of the most vulnerable individuals and communities in the USA. At the national and international levels, the US government sought to narrow human rights protections for sexual and reproductive rights and protections against discrimination for lesbian, gay, bisexual, transgender and intersex (LGBTI) people and others. At the US-Mexico border, in violation of national and international laws, the US authorities detained, ill-treated and turned away tens of thousands of asylum-seekers who requested international protection. As a result, unaccompanied children, families, LGBTI people and others faced abuses once stranded in northern Mexico as well as in US immigration detention centres. The Trump administration also increasingly misused the criminal justice system to threaten and harass human rights defenders, political opponents, whistleblowers and others.

## BACKGROUND

In September, the US House of Representatives opened an impeachment inquiry to investigate multiple alleged abuses of power by President Trump. In advance of the 2020 general elections, political discourse became increasingly partisan and vitriolic, often targeting the human rights of vulnerable groups.

## INTERNATIONAL HUMAN RIGHTS MECHANISMS

The US government has broadly disengaged from the international human rights system, including by forfeiting its membership of the UN Human Rights Council and reducing its financial contributions to the UN as a whole. Since January 2018, the USA has failed to respond to numerous communications from UN experts or accept their requests for invitations for official visits. In a July 2019 letter to Amnesty International, the US government indicated it now engages UN human rights procedures only when they “advance US foreign policy objectives”, thereby declining to cooperate with their examination of the human rights situation within the USA.

The US government also disengaged from the Inter-American Commission on Human Rights. In July, the US Department of State announced the creation of a Commission on Unalienable Rights, which met for the first time in October. The US government established the commission with the stated intent to narrow US support for internationally recognized human rights. Its efforts are likely to unilaterally redefine human rights concepts, contrary to their definitions under international law, including by stripping protections from discrimination for women, LGBTI people and others.

In April, the USA also revoked the visa of the International Criminal Court (ICC) prosecutor who was investigating possible war crimes by US forces and their allies in Afghanistan. This followed previous threats by the US Secretary of State in 2019 and the National Security Advisor in 2018 to target ICC officials with visa revocations, asset seizures or criminal prosecution were they to investigate US war crimes.

## REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

### DISMANTLING REFUGEE RESETTLEMENT

The resettlement of refugees in the USA plummeted in the wake of the Trump Administration's adoption of policies targeting refugees from Muslim-majority countries and Central America, such as the discriminatory “Muslim ban”, the implementation of enhanced vetting procedures and cuts to resettlement goals.<sup>41</sup> In September, the Administration announced its intention to decrease annual refugee admissions for Fiscal Year 2020 to 18,000, the lowest refugee admissions goal in the programme's nearly 40-year history. The USA resettled zero refugees in October 2019, which is the first month of Fiscal Year 2020.

### EXTERNALIZATION OF ASYLUM PROCESS AT THE SOUTHERN BORDER

The USA continued to implement increasingly draconian immigration policies to drastically limit access to asylum procedures at the US-Mexico border, resulting in irreparable harm to thousands of individuals and families. These policies included ongoing unlawful mass pushbacks of tens of thousands of asylum-seekers at the US-Mexico border (constituting refoulement); and the forced return to Mexico of tens of thousands of asylum-seekers under the so-called “Migrant Protection Protocols” (also known as the “Remain in Mexico” policy). In 2019, the authorities forced over 50,000 asylum-seekers to return to and stay in Mexico during the adjudication of their asylum claims, which can take months or years to complete. These policies placed asylum-seekers at unnecessary risk of potentially lethal violence and “chain refoulement” by the US and Mexican authorities, and violated their right to seek asylum.<sup>42</sup>

### ARBITRARY DETENTION AND ILL-TREATMENT OF ASYLUM SEEKERS

The US authorities forcibly separated thousands of families seeking asylum, deliberately inflicting extreme suffering that was tantamount to torture in some cases. In January 2019, a government watchdog confirmed Amnesty International's findings that the Administration had forcibly separated thousands more asylum-seeking families than it had previously admitted.

The authorities also detained asylum-seekers arbitrarily and indefinitely as a means of deterring them from seeking protection and/or compelling them to give up their asylum claims, thereby inflicting cruel, inhuman or degrading treatment or punishment. Children, women, older people, LGBTI people and persons with disabilities or acute medical conditions were at particular risk of such ill-treatment from the agony of arbitrary detention and inadequate detention facilities. Asylum-seekers were detained for up to several years without the opportunity for parole, as parole requests were subject to blanket denials by US immigration authorities.<sup>43</sup>

---

<sup>41</sup> Middle East: ‘The mountain is in front of us and the sea is behind us’. The impact of US policies on refugees in Lebanon and Jordan (MDE 02/0538/2019)

<sup>42</sup> USA: ‘You Don’t Have Any Rights Here’: Illegal Pushbacks, Arbitrary Detention, and Ill-treatment of Asylum-Seekers in the United States (AMR 51/9280/2018)

<sup>43</sup> USA: Government must stop illegal pushbacks of asylum seekers to Mexico (News story, 11 April)

## PROLONGED AND INDEFINITE DETENTION OF CHILD ASYLUM-SEEKERS

Children detained at the Homestead “temporary influx” facility in Florida were held in prolonged and indefinite detention. In many cases, children were held at Homestead far beyond the 20 days permitted in the USA.<sup>44</sup>

In January, following pressure from members of Congress, Amnesty International and other organizations, the Administration closed its only other unlicensed facility for unaccompanied children, the Tornillo tent shelter in Texas. At the same time, authorities doubled the number of children held at the Homestead facility to over 2,000, who were subsequently transferred to other facilities in August. In June, a new “emergency influx shelter” was established in Carrizo Springs, Texas, which could house up to 1,300 unaccompanied migrant children until they are released to sponsors, including adult family members who already reside in the USA.

A new regulation issued by the Administration on 23 August could lead to the indefinite detention of children and families for immigration enforcement purposes.

## GENDER, SEXUALITY, AND IDENTITY

### SEXUAL AND REPRODUCTIVE RIGHTS

Federal and state governments intensified efforts to curtail sexual and reproductive rights by seeking to criminalize pregnancy and abortion and limiting access to reproductive health services.<sup>45</sup> This risked increasing already high maternal mortality rates in the country.

### VIOLENCE AGAINST WOMEN AND GIRLS

Indigenous women continued to experience disproportionately high levels of rape and sexual violence. A recent study by the Urban Indian Health Institute documented the cases of more than 500 Indigenous women and girls missing or killed in 71 cities throughout the USA. However, this figure is likely to understate the problem due to deficiencies in the data of both law enforcement and news media on this issue.

### RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

According to official data, incidents of hate crimes based on sexual orientation or gender identity increased slightly for a fourth consecutive year in 2018. Trans women of colour were especially targeted for violent hate crimes. Many states failed to include sexual orientation and gender identity in their laws providing enhanced penalties for crimes including a hate motive.

There were no federal protections against discrimination in hiring and employment on the basis of sexual orientation or gender identity. The Administration sought through policy and the courts to dismantle protections against discrimination based on sexual orientation in education, the military, employment and other areas of the federal government.

## HUMAN RIGHTS DEFENDERS

The US government conducted an unlawful and politically motivated campaign of intimidation, threats, harassment and criminal investigations against dozens of people who defended the human rights of migrants, refugees and asylum-seekers on the US-Mexico border, violating their right to freedom from discrimination based on political or other opinion. The US Department of Homeland Security and the US Department of Justice misused the criminal justice system to deter and punish those documenting or challenging systematic human rights violations by US authorities against migrants and asylum-seekers.<sup>46</sup>

In July, federal prosecutors announced that Dr. Scott Warren, a geography lecturer and humanitarian volunteer with the NGO No More Deaths, would face a retrial on two charges of “human smuggling” for providing people with humanitarian aid in the form of food, water, clean clothing and bedding in the desert town of Ajo, Arizona, where he lives. The retrial followed an earlier trial in June which resulted in a hung jury. If convicted, Dr. Warren could have faced up to 10 years in prison. In November, a jury found Dr. Warren to be “not guilty” on both charges. In a separate case, a judge found Dr. Warren to be not guilty of several misdemeanour charges against him for leaving water and humanitarian aid in the desert for migrants.

---

<sup>44</sup> USA: No home for children: The Homestead ‘temporary emergency’ facility (AMR 51/0714/2019)

<sup>45</sup> USA: Trump’s Global Gag Rule a Blow for Women’s Rights and Lives (News story, 5 January)

<sup>46</sup> USA: ‘Saving lives is not a crime’: Politically motivated legal harassment against migrant human rights defenders by the USA (AMR 51/0583/2019)

## FREEDOM OF EXPRESSION

In September, President Trump sought to reveal the identity of a whistleblower in a US intelligence agency after an anonymous report of abuse of power by the President. He also suggested that such whistleblowers constitute “spies and treason” and should be executed.

In May, Wikileaks founder Julian Assange was charged with 17 new counts under the Espionage Act by the US authorities, who continued to lobby for his extradition from the UK to face criminal prosecution in the USA. The charges against Julian Assange relate to the kinds of conduct that investigative journalists regularly undertake, risking a chilling effect on the right to freedom of expression.

## COUNTER-TERROR AND SECURITY

Forty individuals remained arbitrarily and indefinitely detained by the US military in the detention facility at the US Naval Base in Guantánamo Bay, Cuba, in violation of international law. Only one person had been transferred out of the facility since the transfer in January 2017 of 18 individuals to countries willing to accept them. Five prisoners cleared for transfer from Guantánamo since at least 2016 remained detained at the end of 2019 and the Trump administration eliminated the system that was previously created to arrange for their transfer. None of the remaining 40 men had access to adequate medical treatment and those who survived torture by US agents were not given adequate rehabilitative services.

## TRIALS BY MILITARY COMMISSION

Seven of those held in Guantánamo faced trial by military commission. The trial of civilians by military tribunals is inconsistent with international law and standards. Furthermore, applying inferior trial protections on the basis of nationality – US nationals cannot be tried by military commissions – violates the right to equality before the law. Those facing trial by military commission could face the death penalty if convicted. The use of capital punishment in these cases, after proceedings that do not meet international standards for a fair trial, would constitute arbitrary deprivation of life. The trial of those accused of crimes related to the 11 September 2001 attacks was scheduled to begin on 11 January 2021.

## CIVILIAN CASUALTIES AND POTENTIALLY UNLAWFUL KILLINGS

Under its flawed “global war” doctrine, the USA repeatedly resorted to lethal force in countries around the world, including using armed drones, in violation of its obligations under international human rights law and, where applicable, international humanitarian law. NGOs, UN experts and the news media documented how such strikes inside and outside of zones of active armed conflict arbitrarily deprived protected individuals, including civilians, of their right to life and may have resulted in unlawful killings and injuries, in some cases constituting war crimes.

The weakening by the US government of protections for civilians during lethal operations increased the likelihood of unlawful killings, impeded the assessment of the legality of strikes and prevented accountability and access to justice and effective remedies for victims of unlawful killings and civilian harm. For instance, despite the tripling of airstrikes in Somalia in 2018, the US government claimed that no civilians had been killed or injured. It only admitted to having caused such casualties in April 2019, following the publication of an Amnesty International report setting out irrefutable evidence of such killings.<sup>48</sup> Despite calls by UN human rights experts and others for clarifications of the legal and policy standards and criteria the USA applies when using lethal force outside of the USA, the government continued to be neither transparent nor forthcoming.<sup>49</sup>

---

<sup>48</sup> Somalia: The hidden US war in Somalia: civilian casualties from airstrikes in Lower Shabelle (AFR 52/9952/2019).

<sup>49</sup> War in Raqqa: Rhetoric versus Reality (2019)

## TORTURE AND OTHER ILL-TREATMENT

A decade after dozens of detainees were held in a CIA-operated secret detention programme – authorized from 2001 to 2009 – during which systematic human rights violations were committed, including enforced disappearance and torture, no person suspected of criminal responsibility had been brought to justice for these crimes and the limited investigations conducted were closed with no charges brought against anyone.

## GUN VIOLENCE

The government's ongoing failure to protect individuals from persistent gun violence continued to deny people their human rights, including the rights to life, to security of the person and to freedom from discrimination. The USA had both the highest absolute and highest per capita rates of gun ownership in the world. Unfettered access to firearms and a lack of comprehensive gun safety laws and effective regulation of firearm acquisition, possession and use continued to perpetuate this violence.

In 2017, the most recent year for which data was available, some 39,773 individuals died from gunshot injuries and a further 134,000 sustained gunshot injuries and survived. The USA lacked special programmes to provide for the specific health and rehabilitation needs of gunshot survivors, who faced numerous challenges in accessing ongoing health care, particularly mental health support and rehabilitation, due to both high cost and lack of availability, and had limited recourse to compensation.<sup>50</sup>

Firearm homicides continued to disproportionately impact communities of colour, particularly young black men, with African Americans comprising 58.5% of all gun homicides, but only 13% of the population; firearm homicides remained the leading cause of death for black men and boys aged 15 to 34.

## EXCESSIVE USE OF FORCE

Nearly 1,000 individuals were killed by law enforcement personnel using firearms in 2018, and preliminary statistics indicate an equally high number of such killings in 2019. The limited data available suggested that African Americans were disproportionately impacted by police use of lethal force, comprising 23% of those killed but only 13% of the population. The government continued to fail to track how many such deaths occur annually. The 2014 Death in Custody Reporting Act, which would require the collection and dissemination of such data nationally, had not been fully implemented.

An Amnesty International review of state laws – where they exist – governing the use of lethal force by law enforcement officials found that none comply with international law and standards regarding the use of lethal force, which require that lethal force be used only as a last resort against an imminent threat of death or serious injury.

## DEATH PENALTY

While individual states continued to move towards abolition, in 2019 the US Attorney General set five federal executions following a 16-year hiatus.

Since judicial killing resumed in the USA under revised statutes in 1977, more than 1,500 people have been executed, over 100 of them since 2015. Studies demonstrate that race, particularly of the murder victim, plays a role in who is sentenced to death.

At least 156 prisoners have been released from death row since 1977 on grounds of innocence – more than half of them ethnic minorities. In numerous cases, prisoners have gone to their deaths despite serious doubts about the proceedings that led to their convictions, including the lack of adequate legal representation. People with serious mental and intellectual disabilities continued to be subjected to the death penalty in violation of international law.

---

<sup>48</sup> Somalia: The hidden US war in Somalia: civilian casualties from airstrikes in Lower Shabelle (AFR 52/9952/2019).

<sup>49</sup> War in Raqqa: Rhetoric versus Reality (2019)

<sup>50</sup> USA: Scars of survival: Gun violence and barriers to reparations in the USA (AMR 51/0566/2019)

---

# URUGUAY

/ Eastern Republic of Uruguay

HEAD OF STATE AND GOVERNMENT:  
**TABARÉ VÁZQUEZ**



Impunity for past crimes against humanity continued to be a concern. Prison conditions remained poor, exacerbated by the extensive use of pre-trial detention. The rights of people in vulnerable situations, including women, girls and lesbian, gay, bisexual, transgender and intersex (LGBTI) people, continued to be threatened. Institutional flaws enabled the repetition of human rights violations.

## IMPUNITY

The failure to ensure justice, truth and reparation for crimes against humanity committed under the former military regime (1973-1985) remained an outstanding concern. Of the 187 criminal investigations opened on these crimes, 91% had not been prosecuted and convictions had been secured in only 14 cases.

Out of the 196 enforced disappearances acknowledged by state authorities, the fate of 163 people remained unresolved. Only eight of the 44 people forcibly disappeared inside Uruguay had been located.

The Supreme Court upheld again the statute of limitations for crimes against humanity committed between 1973 and 1985, in breach of international law.

Special Reparatory Pension to victims of state violence between 1973-1985 was denied for those who receive other pensions or social benefits.

## PUBLIC SECURITY AND PRISON CONDITIONS

Measures taken to improve the capacity and conditions in prisons failed to achieve rehabilitation and crime prevention. As of May, 53% of inmates were repeat offenders, while the imprisonment rate was 315 per 100,000 inhabitants, twice the global average. According to the Attorney General, in early 2019, 44% of those in prison were awaiting trial.

According to the Penitentiary Parliamentary Commissioner, a significant proportion of the prison population experienced very poor living conditions or high levels of violence amounting to ill-treatment.

## MIGRANTS AND ASYLUM-SEEKERS

An official action plan to guarantee equal access to rights to the growing number of migrants and refugees, especially those in vulnerable conditions, was still absent.

In 2019, 31% of all permanent residence visa applications were submitted by Venezuelans, 26% by Cubans and 2% by Dominicans. According to local organizations, migrants in vulnerable situations from those countries faced a heightened lack of protection of their rights to work under fair conditions, housing and education.

People with refugee status were not entitled to any specific assistance from the state in their resettlement process and in dealing with the consequences of persecution and violence, resulting in additional threats to their human rights.

## VIOLENCE AGAINST WOMEN

The National Observatory of Criminality and Violence reported 24 femicides in 2019. Of the total homicides of women between January and June, 55% were committed by their partners, former partners or relatives. On 30 December, President Vázquez issued a resolution declaring a national emergency on gender-based violence.

Despite the introduction of a law in 2017 to combat gender-based violence, there were still no basic nationwide mechanisms to prevent violence against women and provide services for victims.

Obstacles to fighting all forms of gender-based violence persisted, including insufficient public funding, frequent judicial sentences against the protection of women based on sexist and classist prejudices, and the failure by police to follow up reports.

## SEXUAL AND REPRODUCTIVE RIGHTS

In September, the government presented a roadmap for the comprehensive care of pregnant girls under age 15 as part of the National Strategy for the Prevention of Unintended Pregnancy among Adolescents.

Obstacles to voluntary termination of pregnancy persisted due to a lack of regulation of conscience-based refusals to provide abortion services by physicians and other medical personnel.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

There was no comprehensive anti-discrimination policy protecting LGBTI people from violence in schools and public spaces.

An attempt to overturn a 2018 law recognizing and protecting trans persons' rights was defeated in August.

---

# VENEZUELA

/ Bolivarian Republic of Venezuela

HEAD OF STATE AND GOVERNMENT:  
**NICOLÁS MADURO MOROS**



Venezuela continued to experience an unprecedented human rights crisis. Extrajudicial executions, arbitrary detentions, excessive use of force and unlawful killings by the security forces continued as part of a policy of repression to silence dissent. The political and institutional crisis deepened in the first months of the year, resulting in heightened tensions between the Executive under Nicolás Maduro and the Legislature headed by Juan Guaidó. Growing social protest was met with a wide range of human rights violations and an intensification of the policy of repression by the authorities. Prisoners of conscience faced unfair criminal proceedings. Freedom of assembly and expression remained under constant threat. Human rights defenders were stigmatized and faced increasing obstacles in carrying out their work.

Those suspected of criminal responsibility for crimes under international law, some of which may constitute crimes against humanity, and human rights violations enjoyed almost total impunity, resulting in a lack of trust in the judicial system. There are a number of civilians subject to military courts. Interference with judicial independence remained common and isolation from regional human rights forums left victims of human rights violation with few avenues to pursue justice.

The authorities refused to recognize the true scale of the humanitarian emergency and deteriorating living conditions. The population faced severe shortages of food, medicines, medical supplies, water and electricity. By the end of 2019, the total number of people who had fled the country in search of international protection had reached 4.8 million.

High Commissioner of Human Rights' written report, and Human Rights Council oversight were landmarks for the adoption of a Fact-Finding Mission to investigate extrajudicial executions, enforced disappearances, arbitrary detentions and torture and other cruel, inhumane or degrading treatment occurred since 2014, with a view to ensuring full accountability for perpetrators and justice for victims.

The situation of economic, social and cultural rights continued its dramatic decline, economic sanctions were adopted by the USA government on governmental entities on 5 August.

## EXTRAJUDICIAL EXECUTIONS

Extrajudicial executions by the security forces, primarily the Bolivarian National Police through its Special Actions Force, continued. Between 21 and 25 January, 11 young men were extrajudicially executed. The killings followed a consistent pattern. Those targeted were all young men who were or were perceived to be critical of the government and came from low-income areas and their participation in protests had been visible or publicized. The authorities claimed the deaths occurred during clashes with police officers and that the victims were "resisting authority". However, there was evidence that the crime scenes were tampered with.

Since extrajudicial executions appear to be part of a systematic attack against the civilian population, they may constitute crimes against humanity.

A report by the Office of High Commissioner for Human Rights (OCHCR) referred to official figures indicating that there had been 1,569 killings classified as "resistance to authority" between January and 19 May; other sources quoted higher numbers. The OCHCR stated that many of these killings may constitute extrajudicial executions - a crime under international law.

## ARBITRARY DETENTION

Arbitrary detentions continued as part of the policy of repression implemented by Nicolas Maduro's government. During protests in January, more than 900 people were detained in five days, 770 of them in a single day. These detentions may also constitute crimes against humanity, since they seem to be part of a widespread attack against those perceived as dissidents.

Those arbitrarily detained were often subjected to ill-treatment, torture and violations of due process. There were frequent reports of enforced disappearances whereby the authorities confirmed that individuals had been detained, but families and lawyers were unable to discover their fate or whereabouts.

Among those arbitrarily detained was Roberto Marrero, National Assembly President's chief of staff, who was arrested on 21 March and remained held by the Bolivarian National Intelligence Service (SEBIN) in El Helicoide, Caracas, at the end of the year. Member of Parliament Gilber Caro was arbitrarily detained again by SEBIN officers on 26 April and held incommunicado for almost two months before being released on 17 June. No reasons were given for his detention. Later on 2019, Caro was again arrested with journalist Victor Ugas, and brought to Court, allegedly on terrorism charges, although their whereabouts and fate were unknown since police officers denied several times they were under custody. Member of Parliament Edgar Zambrano, first Vice President of the National Assembly, was detained by SEBIN officers in May and held until his release in September.

According to the NGO Penal Forum, by October, 2,182 people had been arbitrarily detained. This NGO considered that 388 people were imprisoned for political reasons, including 18 women and 370 men.

Judicial release warrants were frequently disregarded.

## TORTURE AND OTHER ILL-TREATMENT

On 21 June, retired Navy Captain Rafael Acosta Arévalo was detained by the General Directorate of Military Counter-intelligence, although his family and lawyers were not notified of his fate and whereabouts. Eight days after his disappearance, he was taken before a military court bearing clear signs of torture; he died hours later in a military hospital. The Public Prosecutor's Office opened an investigation and two military officials were charged and convicted of manslaughter; no charges of torture were brought.

The OCHCR's report indicated that in most cases detainees were subjected to torture, including the application of electric shocks, suffocation with plastic bags, near drowning, or sexual violence, among others.

## EXCESSIVE USE OF FORCE

Military and police forces continued to use excessive and, in some cases, intentionally lethal force against demonstrators.

In January, at least 24 people died in violent events surrounding protests. At least 21 died at the hands of public security officials and armed civilians acting with their acquiescence. Given the widespread and systematic patterns of these killings, they may constitute crimes against humanity.

According to the OCHCR report, 66 people died as a result of excessive use of force by police and military officers during demonstrations between January and May.

Reports of illegal raids and arbitrary detentions of demonstrators by security forces were common.

## IMPUNITY

According to the OCHCR report, the Attorney General's Office regularly failed to investigate human rights violations and prosecute those suspected of criminal responsibility, and the Ombudsperson failed to speak out about such violations.

The authorities often discouraged victims from filing formal complaints and the police routinely tampered with crime scenes in cases of extrajudicial executions to ensure impunity for their actions.

## JUDICIAL INDEPENDENCE

The authorities continued to interfere in judicial decisions.

Misuse of the justice system to criminalize those perceived as critical of the government was common. High ranking officials routinely stigmatize human rights defenders, and activists.

Similar allegations of a lack of legitimacy regarding the Supreme Court and the National Assembly exacerbated the institutional crisis and lack of trust in the judiciary.

Civilians such as Ruben Gonzalez, a trade union leader, were subjected to military courts investigated and condemned under charges reserved to the military.

## INTERNATIONAL SCRUTINY

Venezuela continued refusing to allow the Inter-American Commission on Human Rights (IACHR) to visit the country and refused to comply with the decisions of the Inter-American Court of Human Rights and its other obligations under the Inter-American system. However, the IAHR issued 23 precautionary measures and continued to monitor the situation, setting up a Special Monitoring Mechanism for Venezuela (MESEVE).

The UN Human Rights Council appointed the OHCHR to report on the human rights situation in Venezuela. Maduro's government invited the High Commissioner to visit the country.

The OHCHR's report described a very alarming human rights situation and was severely criticized by the authorities who accused the OHCHR of bias.

In September, the UN Human Rights Council adopted two resolutions on Venezuela. The first renewed the OHCHR's mandate to investigate human rights violations and called for a permanent OHCHR presence to be established in Venezuela, which by the end of the year consisted of two officials in the ground. The second established an international Fact-Finding Mission to investigate extrajudicial executions, enforced disappearances, arbitrary detentions and torture and other cruel, inhuman or degrading treatment since 2014, with a view to ensuring full accountability for perpetrators and justice for victims. The Fact-Finding Mission was due publish its findings in September 2020.

## PRISONERS OF CONSCIENCE

At least six prisoners of conscience continued to be detained or face restrictions on their rights during the year.

The journalist and digital rights defender, Luis Carlos Díaz, was released on 12 March after being arbitrarily detained for 30 hours by SEBIN. He was transferred to a clandestine detention centre for eight hours, then taken to his house to witness a raid by SEBIN officers, interrogated and ill-treated. His wife was also threatened by officials. At the end of the year, Luis Carlos Díaz faced criminal charges and remained subject to restrictions, including a travel ban, a requirement to register at the local court every eight days and a prohibition on making public statements.

Leopoldo Lopez was released from house arrest by SEBIN officers during an uprising on April. His mobility is still restricted since he is residing as a guest of the Spanish embassy in Caracas, and his family fled the country.

The cases against Geraldine Chacón, Gregory Hinds and Rosmit Mantilla remain open. Villca Fernández continues banned from returning to Venezuela. At the end of the year, Maduro referred to Fernández as terrorist during a TV streaming and called the Peruvian government -as he is currently living in Peru- to arrest him.

## FREEDOM OF ASSEMBLY

Excessive force was routinely used to repress peaceful protests. The NGO Venezuelan Observatory of Social Conflict registered 16,739 protests this year, most of them related to economic, social, cultural and environmental rights, especially collective bargaining, food, health, water and other public services.

Armed groups used violence against peaceful protesters and dispersed assemblies commonly.

## FREEDOM OF EXPRESSION

Several media outlets critical of the government were the targets of censorship and cyberattacks, as were the websites of human rights organizations. NGOs reported that news sites such as El Pitazo and Efecto Cocuyo were blocked 975 times between January and November.

The local human rights organization Espacio Publico registered 1017 cases of violations of the right to freedom of expression between January and November.

The Press Workers' Union (SNTP) recorded 244 attacks on freedom of the press between January and June, including censorship, harassment, physical assaults on workers, arbitrary detention and theft of equipment.

By October, 193 people were detained for posting opinions or complaints on social media or in the press. Among them was Pedro Jaimes, who had been arbitrarily detained by SEBIN officers for posting public information about the presidential plane's route on his Twitter account. He was finally released with charges on 17 October after a year and five months in detention.

## HUMAN RIGHTS DEFENDERS

Criminalization, threats and attacks by government officials against human rights organizations that engaged with international protection mechanisms continued, particularly through state-owned media channels.

In January, Laura Gallo, head of the Political Prisoners Committee of the opposition Popular Will party and mother of the human rights defender Gabriel Gallo, coordinator of the Penal Forum in Yaracuy, was briefly detained and released on probation.

The online government portal Mision Verdad continued stigmatizing defender Marco Antonio Ponce, a beneficiary of precautionary measures from the Inter-American Commission on Human Rights since 2015. Organizations were targeted on the website of the Television show, Con El Mazo Dando, led by Diosdado Cabello, President of the National Constituent Assembly, were regularly used to attack dissidents and to criminalize and stigmatize human rights defenders and activists.

Trade union leader Rubén González was sentenced by a military court to five years and seven months' imprisonment on charges relating to a demonstration. He had been arbitrarily detained in November 2018 following his criticism of the government of Nicolás Maduro.

In September, human rights and humanitarian organizations denounced new barriers to obtaining legal status and operating freely. The Ministry of People's Power for Internal Relations, Justice and Peace, issued express instructions to impede their registration.

Overcompliance of sanctions imposed by US government to government entities affected NGOs capacity to use their funds freely, generating an additional obstacle to defend human rights in the country.

## MIGRANTS AND REFUGEES

In December, the UN High Commissioner for Refugees put the number of Venezuelans who had fled the country at 4.8 million in the past few years, more than 14% of the total population. Around three million had fled to other Latin American and Caribbean countries, mainly Colombia (1.4 million), Peru (860,000), Chile (371,000), Ecuador (330,000) and Argentina (145,000). However, this was likely to be an underestimate, as most official data did not include those living abroad without registration.

At least 606,000 Venezuelans had formally sought asylum, mostly in Peru, Brazil and the USA.

Some Latin American states established legal mechanisms to regularize the status of people seeking protection. In practice, however, these were inadequate, creating significant obstacles to legal migration. Many states did not have effective mechanisms for dealing with asylum requests and some, such as Chile and Peru, restricted Venezuelans' access to asylum processes, violating people's right to request international protection.

## HUMANITARIAN EMERGENCY

The humanitarian emergency persisted, while the economic measures taken by the authorities proved ineffective. The government continued to refuse to recognize the gravity of the crisis and accept assistance from humanitarian agencies. The flow of people forced to travel to neighbouring countries to access the most basic goods increased.

In August, the US imposed sanctions on Venezuelan government entities. Overcompliance, both within the USA and beyond, with these sanctions led to obstacles in accessing goods in Venezuela, exacerbating the existing scarcity of basic goods and services. According to the UN Office for the Coordination of Humanitarian Affairs, seven million people in Venezuela were in need of humanitarian assistance.

## RIGHT TO HEALTH

Serious shortages in basic health services and medicines, as well as the exodus of health personnel, adversely affected people's ability to access adequate health care. The increasingly frequent and sustained power cuts caused irreparable damage to health services and infrastructure. NGOs continued to report the re-emergence of diseases that had been under control or eradicated, including measles and diphtheria.

The National Hospital Survey found that, between November 2018 and February 2019, 1,557 people died due to lack of hospital supplies.

People living with HIV continued to highlight the dangers they faced due to the shortage and intermittent supply of antiretrovirals. NGOs reported that 70% of the more than 300,000 people in need of treatment for HIV, were affected by these shortages.

It is impossible to know the full scale of the challenges in accessing health, as the authorities have failed to publish health data in a timely manner. For example, no epidemiological data had been published by authorities since 2017.

## SEXUAL AND REPRODUCTIVE RIGHTS

Access to all types of contraception was extremely limited and, in some cities, non-existent. Adolescent pregnancies had increased by 65% since 2015, impacting girls' right to education, according to the OHCHR.

Maternal mortality remained a concern, with reports of deaths resulting from unsafe abortions. The lack of qualified personnel, shortages of medical supplies and poor conditions in hospitals prompted many women to leave the country to give birth.

## RIGHT TO FOOD

Hyperinflation and economic and social policies reduced food production and weakened distribution systems. The UN Food and Agriculture Organization reported that 6,8 million Venezuelans were undernourished. Purchasing power decreased drastically, resulting in severe constraints on access to food.

The humanitarian organization Caritas reported high levels of malnutrition among children and pregnant women.

Local organizations complained of violations of the right to food since the main food assistance programme did not cover people's nutritional needs, the quality of the food and the periodicity of its distribution were the main concerns. The authorities also did not allow access to information on the caloric content and quality of the programme.

## RIGHT TO WATER

Restricted access to drinking water and sanitation continued to affect a significant part of the population. NGOs reported that, on average, people had access to drinking water only for 48 hours per week, particularly in lower income areas. The degradation of the power grid also impacted on people's access to water during periods of power outages, which affected not only individuals but also health services and morgues, among others.

## PRISON CONDITIONS

Prison conditions remained very precarious and reports of inadequate conditions in police detention centres persisted. The Venezuelan Prison Observatory reported 59 deaths in prisons between January and June. Overcrowding and lack of medical attention were the main causes of the spread of disease in prisons.

## INDIGENOUS PEOPLES

The rights of Indigenous Peoples were not respected or guaranteed.

On 23 February, in the city of Santa Elena, bordering Venezuela and Brazil, the Bolivarian National Guard used excessive force against Indigenous people going to the border to receive humanitarian aid. The OHCHR confirmed that seven people died and 26 were injured by gunfire by military forces. In the absence of medical supplies, the injured were taken to a Brazilian hospital. No independent and impartial investigation had been initiated into the incident by the end of the year. Reports showed around 900 Pemon individuals forcibly displaced to Brazil, fleeing from the violence.

The presence of military personnel, organized criminal gangs and armed groups caused violence and insecurity in Indigenous territories in various parts of the country.

Reports of illegal mining continued. Indigenous communities continued to condemn the impact of mineral extraction on their communities and environment.



**AMNESTY INTERNATIONAL  
IS A GLOBAL MOVEMENT  
FOR HUMAN RIGHTS.  
WHEN INJUSTICE HAPPENS  
TO ONE PERSON, IT  
MATTERS TO US ALL.**

**CONTACT US**

 [info@amnesty.org](mailto:info@amnesty.org)  
 +52 5547471600

**JOIN THE CONVERSATION**

 [AmnistiaAmericas](https://www.facebook.com/AmnistiaAmericas)  
 [@AmnistiaOnline](https://twitter.com/AmnistiaOnline)