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IN THIS ISSUE

Confronting Murder: WOLA Leads Congressional Delegation to Ciudad Juárez 3

Cancún Forestalled in Appearance Only: The FTAA Ministerial in Miami 4

Highlights of the U.S. Legislative Year 5

WOLA Activities 6

Bolivia's Government Falls 9

Guatemalan Voters Reject Ríos Montt 10

Photo by Vicki Gass

OUR VIEW FROM WASHINGTON

Democracy Wins

“The people are not idiots,” proclaimed the headline in the Colombian magazine *Semana*, analyzing the results of a national referendum and local and regional elections at the end of October.¹ President Álvaro Uribe’s attempt to amend the Colombian constitution to strengthen executive power, sidestepping the legislative process, went down to defeat. A day later voters elected Lucho Garzón, former union leader and candidate of the democratic left, as mayor of Bogotá, the most important post in the country after the presidency. The Colombian elections followed on the heels of the collapse of the Bolivian government. President Gónzalo Sánchez de Lozada was punished for doing everything Washington asked, but failing to address the dire socioeconomic situation in his country. In early November, hundreds of thousands of Guatemalans waited hours in line to exercise their right to vote. When the results were in, they had ended the brazen presidential campaign of former dictator Efraín Ríos Montt, under whose rule in the early 1980s the military committed acts of genocide against the indigenous population.

For years the United States has held itself up as the model of democracy for the world. But as 2003 comes to an end, it is Latin Americans’ exercise of voice and vote that inspires. Colombian government officials repeatedly asserted that the organized opposition to the referendum served the interests of “terrorism,” to no avail. In the past, authoritarian sectors in Colombia have

continued on page 4

A New Opportunity in Argentina

By Gastón Chillier

In May 2003, Nestor Kirchner became president of Argentina, finalizing the transition from the government of Eduardo Duhalde, who was elevated to the presidency by the Argentine Congress after Fernando de la Rúa resigned the post two years early.¹ Left in the wake was the worst social, political and economic crisis the country has suffered since the return of democracy in 1983.²

Argentina’s institutional crisis extended to the ‘shrinking of spaces’ for political representation, and led to serious questioning of the capacity of democratic institutions to respond to social needs. “Everyone should go” was the slogan of the street protests led by unemployed picketers and the middle class throughout 2001 and much of 2002. Yet, unlike other moments in the

continued on the following page

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New Opportunity

continued from the previous page

country's history, even at the height of the questioning of the political class and democracy, most people continued to support the democratic regime and to reject the strategy of breaking with legality in order to end the crisis.³

Because Kirchner came to power with only 22 percent of the vote, his government's first measures were designed to legitimate his mandate.⁴ Several of these were related to the cause of human rights and the strengthening of democratic institutions, especially the justice system.⁵

In relation to human rights, the government has undertaken a series of measures that have broad social support. First, Kirchner removed the leadership of the armed forces, whose members had pressured to ensure that the Supreme Court would confirm the constitutionality of the laws leading to impunity for human rights violations committed during the military dictatorship. Second, different government agencies have taken steps to advance legal cases involving human rights violations. This state policy against impunity marks a significant change from previous governments, which, in light of the amnesty laws and presidential pardons, had placed obstacles in the path of trying those allegedly responsible for violations.⁶

The repeal of the decree prohibiting the extradition of members of the military accused of human rights violations, the annulment of the "full stop" and "due obedience" laws, and the ratification and incorporation into the constitution of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, have sent a clear signal of the government's commitment to recuperating society's confidence in the law.

Two other measures were implemented to begin to reconstruct society's link to the justice system, which had totally deteriorated during the crisis. First, the executive branch implemented a mechanism to make transparent the designation of the judges of the Supreme Court and to increase public participation in the process. This mechanism was strongly advocated by civil society organizations.

At the same time, the Congress initiated impeachment proceedings against those members of the Supreme Court incorporated under Menem, who were the most questioned on transparency grounds and due to their lack of independence from the executive branch. Two of them resigned their positions in the middle of the process, and another was removed at the end.

The new mechanism for the designation of Supreme Court judges was put into practice to replace the judges who resigned. The process led to a broad public debate on the qualifications of the candidate proposed by the executive, and culminated in the naming of a prestigious jurist to the Court. The broad public participation in the debate was a positive step in overcoming the breach between society and the justice system.

The measures adopted at the legislative level and by the judicial branch make it more likely that the Supreme Court will confirm lower court rulings that the immunity laws are unconstitutional. Nevertheless, and in spite of an opinion by the Attorney General in support of this interpretation, the Court has prolonged the decision by sending the case to a lower court so that it will rule first. Still, a decision that favors the trying of those responsible for the worst crimes committed during the era of state terrorism would begin to reconstruct the institutional fabric so damaged by the crisis.

continued on page 10

Confronting Murder:

WOLA Leads Congressional Delegation to Ciudad Juárez

By Laurie Freeman

From October 11 to 13, 2003, WOLA, along with the Latin America Working Group (LAWG) and the Mexico Solidarity Network (MSN), organized a congressional delegation to Ciudad Juárez, Mexico, to examine the murders of hundreds of women in that city. Since 1993, over 370 women have been killed in Ciudad Juárez, many after suffering sexual abuse and torture. In the majority of cases, there have been no proper police investigations to identify suspects, nor serious efforts to prosecute those responsible.

Four members of Congress participated in the delegation: Rep. Hilda Solis (D-CA), Vice-Chair of the Congressional Women's Caucus; Rep. Ciro Rodríguez (D-TX), Chair of the Congressional Hispanic Caucus; Rep. Silvestre Reyes (D-TX), who represents Ciudad Juárez's sister city of El Paso; and Rep. Luis Gutiérrez (D-IL). Other participants included a staff member from the office of Rep. Raul Grijalva (D-AZ); Eric Olson of Amnesty International USA; Dolores Huerta of the United Farm Workers; and filmmakers Lourdes Portillo and Emiko Omori, makers of the film *Señorita Extraviada*.

The delegation met with family members of murder and torture victims; human rights, women's rights, and solidarity organizations; labor organizers; *maquiladora* owners; Mexican legislators; and officials from the municipal, state, and federal governments. From these meetings the delegation concluded that:

- ▶ **The Mexican authorities have not done enough to prevent violence against women, investigate women's murders, or respond adequately to the concerns of the victims' families.** Recent national and international pressure has prompted the municipal, state, and federal authorities to announce a series of new crime prevention measures and to create a joint federal-state investigative agency, but these have not produced advances in the investigations, nor curbed violent attacks against women.
- ▶ **The families of the victims are ignored, deceived, and often times harassed by the authorities.** Families told the delegation of repeated occasions when government officials misled them, deliberately gave them false hopes about their daughters' fates, and discouraged them from pursuing justice.



- ▶ **The families of the victims have no faith in the state authorities to conduct effective or serious investigations.** Federal officials have assumed shared jurisdiction over many cases, but a lack of progress in the investigations or contact with the family members has meant that there is little faith in their efforts, either.
- ▶ **The authorities continue to blame the victims for their own murders.** Families also reported that the investigations tend to focus on them.
- ▶ **The authorities commit human rights violations in the attempt to "solve" the murders.** Scapegoats are sent to jail for the murders on the basis of coerced confessions and the authorities tolerate police abuse and torture. Allegations of torture were denied by officials during delegation meetings, and the evidence presented was flatly dismissed.
- ▶ **Authorities often refuse to perform forensic tests to positively identify the bodies of murder victims.** Many bodies are kept in a common grave and have not been identified. Other bodies have been "identified" by evidence that was found near the sites where they were disposed, but DNA tests were contradictory or inconclusive. As a result, many families live in agony and uncertainty, not knowing if their daughters have been murdered or may still be alive.

continued on page 11

Cancún Forestalled in Appearance Only

The FTAA Ministerial in Miami

By Vicki Gass

The Free Trade Area of the Americas (FTAA) ministerial meeting in Miami on November 20-21 avoided a Cancún-like collapse. But the talks failed before they began, a defeat for U.S. aspirations of a borderless, hemispheric-wide trade zone.

The United States had pushed for an ambitious, comprehensive commercial agreement with provisions on investment, intellectual property, and government procurement. But faced with opposition led by Brazil, the U.S. was forced to accept a more balanced approach that takes into account the development needs of each country. The November 20 ministerial declaration states, “Ministers recognize that countries may assume different levels of commitments . . . Negotiations should allow for countries that so choose, within the FTAA, to agree to additional obligations and benefits.”

Although no substantive issues were discussed, trade negotiators in Miami set a schedule for completing the watered-down version of the FTAA before the Jan. 2005 official deadline. But on Nov. 26, Brazil’s Minister of Agriculture, Roberto Rodrigues, said he saw little hope for ‘substantial advances’ in future FTAA talks. At this point, the negotiating process appears dead in the water.

Dubbed a “buffet style” FTAA by Latin American negotiators, the U.S. referred to the outcome as a “full course meal with each country deciding how much to eat,” implying there would still be a standard set of rights and obligations. But, on the eve of the official meeting, USTR official Robert Zoellick announced plans to negotiate bilateral trade agreements with the Dominican Republic, Panama, Bolivia, Colombia, Ecuador and Peru. Notably absent from the announcement was any Mercosur country. What the U.S. could not achieve in a hemispheric-wide agreement, it will continue to seek bilaterally.

As alarming as the U.S. push for bilateral trade agreements was the extraordinary use of police force during the Miami meeting. Nearly 2,500 police officers descended on the downtown, reminiscent of the repressive military response to social protests in Latin America in recent years. One difference was that the Miami force used more sophisticated weaponry: taser guns, rubber bullets, pepper spray, and pellet guns, as well as tear gas and batons. The

\$8.5 million bill for the militarization was paid by a rider attached to the recent \$87 billion supplemental appropriation for the war in Iraq.

Miami police also resorted to “hammer and anvil” tactics. During a solidarity march for protestors arrested a day earlier, demonstrators were told to disperse but were prevented from doing so when the police blocked off the exits. Peacekeepers, press, union workers, and elderly participants were not spared police brutality. Protestors reported that the police held guns to their heads, conducted illegal searches and disposed of personal belongings, forced strip searches, and refused detainees access to food or water. In two days, 200 people were arrested and twelve were hospitalized.

All global or regional trade negotiations held in the last five years have been met with protests by people who oppose the effects of free trade and neo-liberal economic policies. The extraordinary use of police force against peaceful demonstrators in Miami only deepens that opposition. The trade debate has reached a turning point. Will growing poverty in the Americas be met by increased repression, or by serious consideration of policy alternatives? 

Democracy Wins

continued from page 1

killed progressive leaders like Garzón, rather than allow them to ascend to political power. The repression unleashed by Sánchez de Lozada – at least 59 people were killed by Bolivian troops in the unrest that preceded his resignation – backfired, paving the way for the constitutional transfer of power to vice president Carlos D. Mesa. In Guatemala, Ríos Montt’s party, the FRG, orchestrated a campaign of violence and intimidation in late July that failed to scare people into supporting the ex-general. We have not seen the last of the authoritarian impulse in Latin America. But in 2003, voters stood firm, those impulses were defeated, and democratic processes emerged strengthened. 

Notes

¹ Antonio Caballero, “La gente no es idiota,” *Revista Semana*, online edition, October 27, 2003.

Highlights of the U.S. Legislative Year

By Geoff Thale

As 2003 drew to a close, the U.S. Congress was scrambling to complete the annual appropriations process for fiscal year 2004 (Oct. 2003-Sept. 2004). In November, Congress cobbled together one large \$820 million “omnibus” appropriations bill, covering seven major spending categories, including foreign aid. The final bill was crafted by the congressional Republican leadership, in negotiations with the White House, and passed the House of Representatives. The Senate postponed a final vote until January. But the Senate delay is unlikely to affect the Latin American foreign aid provisions.

Contradicting the expressed will of both chambers, Americans’ right to travel to **Cuba** got traded away in last-minute maneuvering. The heads of the House and Senate appropriations committees, without consulting with committee members, dropped a provision that would have ended enforcement of the Cuba travel ban – even though the measure had passed 59-36 in the Senate and 227-188 in the House. The leadership’s patently undemocratic action reflects the reality that it has lost the majority on the Cuba issue; the only way to prevail is through backroom deals that break the rules. With time running out, the legislators who supported the right to travel had no recourse, but vowed to return to the issue next year.

The omnibus bill provides \$731 million in renewed U.S. funding for the **Andean Counterdrug Initiative**, and continues to allow U.S. counter-drug assistance to be used for “counter-terrorist” activities in **Colombia**. Efforts by members of the House to cut the military aid to Colombia were defeated earlier in the year. The bill does maintain human rights conditions. A portion of the aid may be withheld unless the Department of State (DOS) certifies that Colombia is suspending, investigating and prosecuting military officers credibly alleged to have committed human rights abuses, and unless the Colombian armed forces are severing links with and dismantling paramilitary networks. The requirement that DOS consult with internationally recognized human rights groups before certifying is also retained, although in practice the consultation risks becoming pro forma.

The bill also retains conditions on aerial fumigation of illegal drug crops in Colombia. DOS must certify that the chemical spray mixture is being used in accordance with Environmental Protection Agency requirements and the Colombian environmental management plan, that alternative development programs are being implemented, and that claims of damage to health or legal crops are being addressed. For the first time, the conditions provide for spraying in Colombia’s national parks. Conferees

continued on page 9

New Publications

Place your order now!

Hidden Powers in Post-Conflict Guatemala: *Illegal Armed Groups and the Forces Behind Them*, by Susan Peacock and Adriana Beltrán, forthcoming December 2003, 98 pp., \$10.00. The fully elaborated analysis of the interconnected set of powerful Guatemalans known as “hidden powers,” the illegal armed “clandestine groups” that act at their behest, and their impact on democracy and rule of law in Guatemala today. Required reading as Guatemala prepares to inaugurate a new government in January.

Rights and Development, Vol. 1, No. 1, November 2003, 12 pp., \$2.00. WOLA’s newest series, analyzing trade and economic issues in Latin America from a rights-based perspective. The first issue focuses on CAFTA and rural development. *Also available on our web site.*

Please visit www.wola.org for access to many other WOLA publications.

Investor Rights or Human Rights?, by Rick Rowden and Vicki Gass, November 2003, 8 pp. WOLA and ActionAid USA analyze the ways in which investor rights provisions in the proposed FTAA agreement may undermine development goals and national sovereignty in Latin America. **Available only on our website**

From the Drugs, Democracy and Human Rights project:

Special Update on Bolivia: *Popular Protest Brings Down the Government*, by Kathryn Ledebur, WOLA consultant and director of the Andean Information Network in Bolivia, November 2003.

Special Update on Ecuador: *Illicit Drug Control Policies and Prisons: The Human Cost*, by Sandra G. Edwards, WOLA consultant, November 2003.

The following are activities undertaken by WOLA from October through December 2003.

Washington Policy Work

- ▷ On Oct. 21, V. Gass met with legislative and business representatives from **Brazil** to discuss human rights and trade, as part of the Department of State (DOS) International Visitors program and the AED “Free Trade And Legislative Issues” project.
- ▷ On Oct. 16, K. Stanton met with Carlos Franco, in charge of human rights for the **Colombian** government, to discuss the deteriorating environment for human rights defenders.
- ▷ In late Oct., WOLA staff met with Amb. Mike Kozak and other DOS officials to discuss human rights defenders in **Colombia** and related issues.
- ▷ In Oct. and Dec., WOLA staff briefed DOS officials en route to serve in the U.S. Embassy in **Colombia** on human rights and rule of law issues.
- ▷ In mid-Nov. WOLA staff met with DOS officials to discuss **Colombia’s** compliance with human rights conditions in U.S. law.
- ▷ On Nov. 13 WOLA and other human rights organizations participated in a briefing with Amb. Michael Fruhling, head of the UNOHCHR in **Colombia**.
- ▷ R. Farley and G. Thale met with staff and provided background information to the Senate on the issue of travel to **Cuba**, in advance of a vote to end the travel restrictions.
- ▷ G. Thale suggested questions to Sen. Chris Dodd to ask of witnesses at a foreign relations hearing on the issue of travel to **Cuba**.
- ▷ R. Farley arranged meetings with congressional offices for a delegation of Cuban-Americans from Miami who support unrestricted travel to **Cuba**.
- ▷ WOLA wrote and circulated an analysis of the changing demography of Florida and its implications for U.S. policy toward **Cuba**.
- ▷ R. Farley traveled to Iowa to meet with agribusiness, trade promotion, religious, and peace and justice groups to distribute materials and discuss what Iowans can do to raise the issue of Cuba policy during the presidential campaign and the upcoming Iowa Caucus.
- ▷ R. Farley and G. Thale met with Cuba’s Foreign Minister, Felipe Pérez Roque, to discuss human rights in **Cuba** and the UN General Assembly vote to condemn the U.S. embargo.
- ▷ In Oct., A. Beltrán testified before the congressional Human Rights Caucus on the human rights situation in **Guatemala**.
- ▷ WOLA staff met with the OAS election observation team, USAID and the National Democratic Institute (NDI) in Washington about the elections in **Guatemala**.
- ▷ WOLA supported a congressional letter to Sec. of State Colin Powell asking him to address the unsolved murders of women in Ciudad Juárez at the U.S.-**Mexico** Binational Commission meeting. The letter was signed by 66 members of the House of Representatives.
- ▷ L. Freeman met with Issa Luna, director of *Libertad de Información México*, on **Mexico’s** new freedom of information law. She met with Dr. Bernardo Romero, human rights ombudsman for the state of Queretaro, to analyze threats against human rights defenders.
- ▷ WOLA sent a letter to **Mexican** authorities requesting they re-open the Digna Ochoa murder investigation to allow the family’s lawyers to present additional forensic evidence.
- ▷ In Oct., WOLA met with staff from the Congressional International Workers’ Rights Caucus and other NGOs to coordinate a strategy for stronger labor rights standards in the **U.S.-Central America Free Trade Agreement (CAFTA)**. WOLA also gave information to all members of the U.S. House on the potential impact of CAFTA on agriculture and food security.

Presenting Latin American Voices

- ▷ On Nov. 21, WOLA hosted a brown bag lunch with Maria Laura Gueembe of *Memoria Abierta*, a consortium of human rights groups documenting and archiving **Argentina’s** history of political violence.
- ▷ On Oct. 1, WOLA staff met with Ana María Romero, former Human Rights Ombudsman of **Bolivia**.
- ▷ In Nov., WOLA arranged meetings for Sacha Llorenti, vice president of **Bolivia’s** *Asamblea Permanente de Derechos Humanos* with members of Congress and aides, and officials at the DOS and the IACHR. Llorenti spoke at a brown bag lunch co-sponsored with the Latin America Working Group, on

“Democracy in Crisis? Thoughts on Social and Political Upheaval in Bolivia.”

- ▷ WOLA staff attended and translated for **Colombian** human rights defenders Gustavo Gallón, Colombian Commission of Jurists, Alirio Uribe, *Colectivo de Abogados* José Alvear Restrepo, and Leonora Castaño Cano, National Association of Rural, Afro-Colombian and Indigenous Women, at an Oct. briefing sponsored by the office of Sen. Joseph Biden.
- ▷ On Oct. 17, WOLA organized and moderated a mini-conference on human rights with representatives of several **Colombian** groups.
- ▷ In Oct., WOLA arranged meetings for **Guatemalan** human rights groups with the DOS, OAS, USAID, the European Union, congressional offices, the Inter-American Development Bank and NGOs, to discuss the presidential elections and the formation of the international commission to investigate clandestine groups. Visitors included María Eugenia Morales de Sierra, Deputy Human Rights Ombudsman; Carla Villagrán and Conrado Martínez, advisors to the Ombudsman; Orlando Blanco, director of the *Coordinadora Nacional de Derechos Humanos de Guatemala*; and Frank LaRue, director of the Center for Legal Action on Human Rights.
- ▷ In Oct., WOLA arranged meetings with congressional and administration policy-makers for Miguel Jugo and Alejandro Silva, of the *Asociación pro Derechos Humanos* (APRODEH) and the *Coordinadora Nacional de Derechos Humanos*, respectively, to discuss **Peru's** Truth Commission and the extradition of former President Fujimori from Japan.
- ▷ On Nov. 6, WOLA co-hosted a reception for **Salvadoran** presidential candidate Hector Silva at the U.S. Congress.
- ▷ WOLA hosted a brown bag lunch discussion for María Mercedes Moreno, director of the **drug policy** organization Mama Coca, on Nov. 11.
- ▷ WOLA hosted a reception for **human rights defenders and activists** in Washington for the fall session of the Inter-American Human Rights Commission.

WOLA in Latin America

- ▷ L. Freeman met in Buenos Aires with staff from the *Secretaría de Derechos Humanos de Argentina* and the Argentine Forensic Anthropology Team to discuss their experience with exhumations, forensic anthropology and DNA databases.

- ▷ In Oct., WOLA staff traveled to **Guatemala** where they met with the OAS election observation team, MINUGUA, the Carter Center, NDI, the Supreme Electoral Tribunal, the U.S. Embassy, two campaigns, human rights groups, and the *Mirador Electoral* (the national citizen elections observation coalition) to assess the situation leading up to the Nov. 9 elections. WOLA staff produced “Guatemalan Elections,” a memo on the trip’s findings. Adriana returned to Guatemala for the elections as part of the OAS observation team.
- ▷ On Oct. 11-13, WOLA co-led a congressional delegation to Ciudad Juárez, **Mexico**, focused on the murders of hundreds of women there since 1993. Four members of Congress participated, and several congressional staff. While in Mexico, J. Olson and L. Freeman met with human rights groups regarding the murders and the Digna Ochoa case.
- ▷ G. Chillier met with Rocío Culebro of the **Mexico** City Human Rights Commission, Edgar Cortez, *Centro ProDH*, Ernesto López Portillo Vargas, INSYDE, and Gabriela Pérez, *Fundar*, to discuss follow-up to the workshop on public security and human rights organized by WOLA last Sept. in Mexico City.
- ▷ On Oct. 27 and 28, G. Chillier attended the **OAS Special Conference on Security** in Mexico City, helped elaborate a statement signed and presented by 116 organizations from most countries of the Americas, and presented to foreign ministers on the need to clarify appropriate non-militarized responses to the broad range of threats to security.
- ▷ On Oct. 29, G. Chillier attended an international seminar in Mexico City on **accountability for police**, organized by INACIPE, INSYDE and the Lawyers Committee for Human Rights.

Conferences and Events

- ▷ In Oct., J. Walsh traveled to Portugal for the Lisbon International Symposium on Global **Drug Policy**, organized by the Senlis Council Drug Policy Advisory Forum.
- ▷ In Nov., J. Olson and four WOLA consultants participated in the REDES conference in Santiago de Chile, sponsored by U.S. Southern Command and the Center for Hemispheric Defense Studies. Joy chaired a panel on “**Drug Control**, Democracy and Human Rights.”
- ▷ In Nov., V. Gass attended the ministerial meetings of the **Free Trade Area of the Americas** (FTAA) in

Miami, and gave workshops on trade and poverty, and investor rights in the proposed FTAA. WOLA and ActionAid co-wrote a briefing paper, “Investor Rights or Human Rights?,” in preparation for the workshop.

- ▷ On Oct. 23, K. Stanton gave the keynote address for “The Impact of **Globalization** on the Americas: An Undergraduate Conference on Scholarship and Career Paths,” at Michigan State University, Center for Latin American and Caribbean Studies.
- ▷ In late Nov., J. Olson spoke at the Humphrey Institute of Public Affairs at the University of Minnesota on the **militarization of U.S. policy** in Latin America.

WOLA in the News

- ▷ On Oct. 16, WOLA's press statement on the government's repression of protests in **Bolivia** appeared in the country's major daily newspapers and was read on TV and radio stations.
- ▷ On Oct. 18, J. Walsh discussed the political crisis in **Bolivia** on CNN International.
- ▷ WOLA consultant Kathryn Ledebur was interviewed twice by NPR's “Democracy Now” as the political crisis in **Bolivia** unfolded.
- ▷ In Nov., V. Gass was quoted on **Brazil** by *The Nation*, *The Washington Times*, and *The Houston Chronicle*.
- ▷ K. Stanton was interviewed by the *Baltimore Sun* and Reuters on the paramilitary dialogue and impunity in **Colombia**. On Oct. 28 she appeared on “Voice of America” for a call-in show on the Colombian elections.
- ▷ R. Farley appeared on *Telemundo* to comment on the Bush administration's plans to crack down on illegal travel to **Cuba** and form a new advisory team on a “transition to democracy” there.
- ▷ A. Beltrán was interviewed by the *Los Angeles Times* and NHK Public Radio in Japan on the elections in **Guatemala**, and provided background information on the elections to NPR in Chicago.
- ▷ G. Thale was quoted in the *Washington Post* on the **Guatemalan** elections. WOLA statements on the elections also appeared on the InterPress Service and OneWorld wire services.
- ▷ The congressional delegation to Ciudad Juárez was covered by the **Mexican** and U.S. media, including *Formato 21*, Radio Formula, Televisa, Reuters, AP, *El Paso Times*, *Dallas Morning News*, *Chicago Tribune*, the *Washington Post*, Fox News, and BBC World News TV. WOLA was mentioned in a *Washington Post* editorial criticizing the Mexican government's inadequate response to the murders.
- ▷ L. Freeman appeared on **Mexico's** Televisa nightly news and in *La Jornada* and *El Universal* in stories on violence against women in Juárez and the death of human rights defender Digna Ochoa.
- ▷ L. Freeman was quoted in a Reuters story about human rights abuses by the **Mexican** military in the drug war.
- ▷ K. Stanton was interviewed by *La República* and the Agencia Andina de Noticias, on follow-up to the **Peruvian** Truth Commission and the Fujimori extradition.
- ▷ WOLA prepared a press briefing packet on **CAFTA**, and co-hosted a press conference at the National Press Club, during the final round of trade agreement negotiations in Washington the week of Dec. 9.
- ▷ In Nov., V. Gass gave a number of interviews on the **FTAA**, and was quoted in *The Miami Herald*, *The Houston Chronicle*, *The Kansas City Star*, the *Florida Sun Sentinel*, *Colorado Public Radio*, the *Biloxi Sun Herald*, and *InterPress Service*.
- ▷ E. Rosin debated with Steven Donahoo of Kissinger McLarty on U.S. **drug policy** for the program “Enfoque” on BBC Mundo on Oct. 22.
- ▷ G. Chillier participated in a press conference in Mexico on the outcome of the **OAS Special Conference on Security**, and was cited in *La Jornada*.
- ▷ K. Stanton appeared on WAMU's “Evening Exchange” with Kojo Nnamdi, to discuss events in **Brazil, Venezuela, and Cuba**, on Oct. 10.
- ▷ J. Olson taped a half-hour PBS interview on **U.S.-Latin American** relations for the show “Great Decisions” on Nov. 3.

Legislative Year

continued from page 5

rejected a Senate prohibition on such spraying, opening the door to massive environmental damage if the Secretary of State determines there are no effective alternatives.

On a positive note, the bill provides \$13 million for organizations and programs to protect human rights in Colombia. Of this amount, conferees recommended an allocation of \$2.5 million for the office of UN High Commissioner for Human Rights.

Also positive, the final bill prohibits funding for the military or police forces of **Bolivia** unless the Secretary of State certifies that they are respecting human rights and prosecuting cases of human rights violations, in recognition of the serious human rights situation in Bolivia.

The conferees strongly recommended that the U.S. provide at least \$250,000 to support the creation of an international commission to investigate illegal armed groups in **Guatemala**. WOLA is working closely with Guatemalan human rights activists who believe that an international commission is crucial to stop human rights abuses in the country, and identify and prosecute those responsible.

The bill also maintains a ban on military education and training funds for the Guatemalan

armed forces, except for programs in civil-military relations and to train civilians in military oversight.

The report that accompanies the final bill notes that unsolved murders of women in **Mexico** are of concern to the United States. It urges DOS to highlight the issue with the Mexican government, and to cooperate in developing a DNA database that could facilitate the investigations. The final bill also earmarks \$10 million for small farmers and rural development in Mexico.

The bill increases development assistance for **Nicaragua** to \$35 million, \$4 million more than the administration request, for subsistence farmers and judicial reform. Small farmers have been hard hit by drought and the precipitous drop in world coffee prices, issues that WOLA and others have brought to the attention of Congress.

Finally, the bill affirms that DOS must continue to file regular reports on its **training of foreign troops**, an important provision that WOLA has supported. The reports allow citizens to know who the U.S. military is training in Latin America and elsewhere. The bill also urges greater transparency and openness at the World Bank and the Inter-American Development Bank. U.S. directors at these institutions are ordered to press for more public access to documents. This, too, is a positive step for democracy and accountability. 🇺🇸

Bolivia's Government Falls

On October 22, after weeks of unrest, the government of Bolivian president Gonzalo Sánchez de Lozada fell. Sánchez de Lozada is the fourth elected president in Latin America to be forced from office as a result of popular outrage in just four years. His government's collapse should serve as a wake-up call to Washington, which has largely ignored the crisis brewing in its own backyard. Across Latin America, polls show increasing frustration with continued poverty and unemployment as economic growth fails to trickle down to the poor majorities, while privatizations lead to lay-offs and higher prices. The socio-economic situation in poor countries like Bolivia is further exacerbated by rigid U.S. drug control policies. U.S. inflexibility on meeting coca eradication targets has left many rural Bolivian families without income, generated social conflict and violence, and contributed to Sánchez de Lozada's loss of legitimacy. Ultimately, Sánchez de Lozada was viewed as "out of touch with a poor and angry country" ("Bolivia After the Uprising," *The Economist*, 25-31 Oct. 2003, p. 54). His successor, Carlos D. Mesa, inherits a delicate and potentially explosive situation. The

U.S. government should not repeat the mistakes it made during Sánchez de Lozada's term.

To succeed, Bolivia's new government needs the full support of the international community – and it needs room to negotiate with many social sectors. Towards that end, Washington should provide significantly more economic assistance to Bolivia for development efforts, and do so without linking it to anti-drug objectives. Second, the U.S. government should waive coca eradication targets for 2003 and support Bolivian government efforts to (1) negotiate the terms under which any future coca eradication will be carried out; (2) carry out an independent study of the legal coca market; and (3) reform anti-drug legislation as deemed appropriate or necessary by Bolivian actors. U.S. international drug control policy would be better served in the long run by ensuring a stable, civilian government in Bolivia, rather than the present short-term focus on meeting coca eradication goals.

Excerpted from Kathryn Ledebur, *Special Update on Bolivia: Popular Protest Brings Down the Government*, November 2003, available at www.wola.org.

New Opportunity

continued from page 2

The consequences of Argentina's profound crisis are still present today. The measures described here are steps in the right direction, but much remains to do to correct the political system's crisis of representation. With regard to the economy, indications of reactivation and growth open the door to renewed if modest optimism. But the state's great debt to society continues in the area of social policy, where rates of poverty, indigence and unemployment have hardly varied since the crisis exploded.

The legitimacy achieved by the current government, due to the measures to combat impunity and create an institutional culture based on law, offer an opportunity to produce deeply needed changes. These changes will have to guarantee the inclusion of a vast social sector that today remains excluded from the benefits of a democratic system. 🇲🇧

Footnotes

- ¹ De la Rúa's term would have ended in December 2003.
- ² In May of 2002, 18.5 million people were under the poverty line and 8.7 million (24.8 % of the total) were considered to be in extreme poverty. At 21.5%, the unemployment rate was the highest in history. See the Social Watch 2003 annual report on Argentina at www.socialwatch.org.
- ³ While only 10% of citizens had confidence in the government, support for democracy grew from 58% in 2001 to 65% in 2002. See "Informe de Prensa", *Latinobarómetro 2002*, Argentina, 3 de octubre, 2002.
- ⁴ In the April presidential elections Kirchner won 22.2% of the vote and Carlos Menem 24.5%. Foreseeing a huge loss in the second round, Menem ended his candidacy, with the clear intention of undermining the legitimacy of Kirchner's future government.
- ⁵ In his inaugural address, Kirchner maintained that his government's human rights policy would be based on truth and justice. These were key words historically used by the human rights movement in seeking to address the legacy of state terrorism.
- ⁶ The "full stop" and "due obedience" laws that led to impunity for those who violated human rights during the military dictatorship were pushed through by the government of Raúl Alfonsín in 1986 and 1987 respectively. The pardons that left in liberty members of the military junta convicted in the historic 1985 trial, as well as other members of the armed forces under investigation, were signed by President Carlos Menem.

Guatemalan Voters Reject Ríos Montt

On November 9, hundreds of thousands of Guatemalans turned out to vote for presidential and congressional elections, the second national elections since the signing of the 1996 Peace Accords. According to the Supreme Electoral Tribunal's final results, Oscar Berger, former Guatemala City mayor and candidate for the Great National Alliance (*Gran Alianza Nacional*, GANA), came out ahead with 34.35% of the vote, followed by Álvaro Colom of the National Unity of Hope party (*Unidad Nueva Esperanza*, UNE), with 26.28% of the vote. The most significant outcome of the first round was the voters' overwhelming rejection of Efraín Ríos Montt, former dictator and hardline presidential candidate for the Guatemalan Republican Front (*Frente Republicano Guatemalteco*, FRG), who came in a distant third with 19.32% of the vote. Since no candidate garnered more than the 50% needed to secure an outright victory, Berger and Colom will face each other in a run-off election on December 28.

Ríos Montt's electoral defeat could give new life to the cases pending against him in Guatemala and Spain, in which he is accused of responsibility for acts of genocide. During his tenure as president in the early 1980s, the Guatemalan military carried out brutal counter-insurgency efforts against indigenous communities, and - according to the UN-sponsored truth commission - "acts of genocide." In January, when the new government assumes power, Ríos Montt will lose the political immunity from prosecution he has enjoyed as a sitting member of Congress since 1994.

Voter turnout was estimated at more than 57% of the country's 5.7 million registered voters, an historic record. But the heavy turnout and problems with the voter registration

lists resulted in long lines and waits of three or more hours at many polling places. Voters who could not find the appropriate polling place or locate their names on the lists could not exercise their right to vote.

Prior to the voting, many observers had expressed concern that violence, possibly organized by supporters of the FRG, could affect the conditions for free and fair elections. But despite the widespread fear of intimidation, election day proceeded with only scattered incidents of violence. The most serious included two women who were trampled to death in Quiché after voters tried to push their way into a polling center. The day before the election, Rolando Morales Chávez, UNE's political secretary, was shot and wounded outside his home. In some provinces, including Chimaltenango, San Marcos and Suchitepéquez, frustrated voters burned ballot boxes.

Whoever wins the second round of voting in December will be faced with great challenges in governing, including a sharply divided congress (no party gained a majority), politicized institutions that inspire little public confidence, and a notable deterioration in the human rights situation during the last two years. Many observers believe that "hidden powers" - powerful individuals, including former military officers, with links to organized crime and drug trafficking, and with significant influence within the state - are behind the wave of attacks and intimidations. The next president must confront these problems, while addressing the deepening poverty and inequality within the country, especially among indigenous peoples.

— Adriana Beltrán

Confronting Murder

continued from page 3

Delegation participants were appalled by the rampant violence against women in Ciudad Juárez, and by the lack of attention the issue has received from the authorities. That these horrible crimes against women have gone on so long suggests all are remiss for not having responded sooner to the tragedy. Members of Congress committed themselves to following up on the issue, and returned to Washington ready to work on a number of initiatives to support the families in their search for justice and assist the Mexican government in measures to prevent and solve these crimes.

In November 2003, 66 members of Congress sent a letter to Secretary of State Colin Powell asking him to raise concerns about the Juárez murders during the U.S.-Mexico Binational Commission meeting on November 12. According to the letter, "It is imperative that this issue be discussed at the bi-national summit, because it is a bi-national issue. ... U.S. citizens have been arrested for the murders, have been victims to the murders, and have lost loved ones to the murders."

Later that month, a bipartisan bill, HR 466, was introduced in the House of Representatives to convey "the sympathy of the House of Representatives to the families of the young women murdered in the State of Chihuahua, Mexico,

and encourag[e] increased United States involvement in bringing an end to these crimes." The bill's sponsors include Reps. Solis, Reyes, Rodriguez, Louise Slaughter (D-NY), Shelley Moore Capito (R-WV), and Jim Ramstad (R-MN). Mr. Ramstad represents the home district of Cynthia Kiecker, a Minnesota woman who is currently in prison in Chihuahua City, tortured into confessing to the murder of a young woman in May 2003.

Seeking to raise congressional and public awareness, the bill condemns the murders of young women in Ciudad Juárez and Chihuahua, expresses its sincerest condolences to the families of the young women killed; recognizes the courageous struggle of the victims' families in seeking justice for the victims; urges the President and Secretary of State to request that the investigative and preventative efforts of the Mexican government be addressed as part of the U.S.-Mexico bilateral agenda; supports multilateral efforts to create a DNA database that would allow families to positively identify the remains of the victims; and condemns the use of torture as a means of investigation into these crimes. WOLA will be encouraging additional congressional offices to co-sponsor the bill. (For more information about the bill and contacting your member of Congress to sponsor it, consult WOLA's web page.) 

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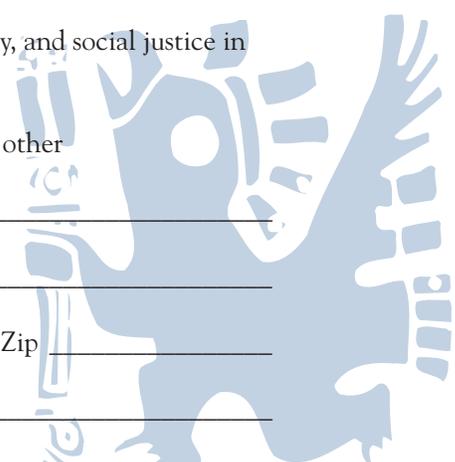
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