



# CrossCurrents

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## Central American Militaries Seek to Redefine Roles

By Laurie Freeman

Central American militaries are moving forward in their efforts to radically broaden and redefine their missions, especially with respect to internal public security. However, U.S. government officials are sending mixed messages about the appropriateness of doing so, and these mixed messages were on full display at a recent meeting of Central American defense and security ministers with U.S. Defense Secretary Donald Rumsfeld and other top U.S. military officials on October 12 and 13 in Key Biscayne, Florida.

According to the Pentagon, the purpose of the meeting, billed as a conference on “Security and Economic Opportunity,” was to discuss “diverse perspectives on the relationship between security, development, economic opportunity, and job creation, with an emphasis on the strengthening of region-wide institutions for security cooperation.” The meeting was also portrayed as a discussion of the role of regional militaries in responding to natural disasters such as the devastation wrought on Guatemala the week before by Hurricane Stan.

Yet, the Central American defense ministers had specifically requested the meeting in order to seek U.S. support for a regional rapid reaction force to combat emerging transnational threats like drug trafficking, organized crime, illegal migration and youth gangs—in other words, missions more appropriately suited to civilian law enforcement agencies. The Central American governments have held a series of meetings over the course of this year to discuss the creation of such a force. The idea was first mentioned at a summit of Central American presidents in February 2005. One month later, the region’s defense and security ministers agreed to move forward by forming rapid reaction units in each country (composed of military and police personnel), which eventually would operate on a regional level. In August, Central American defense ministers agreed to ask Rumsfeld for U.S. assistance—particularly training, equipment, and intelligence—because without such assistance the regional force will not become fully operational.

As a result, there was much confusion about what exactly was being discussed at the Key Biscayne meeting. Specifically, were the Central American ministers proposing one regional force with three different missions—humanitarian assistance, peacekeeping, and combating transnational law enforcement threats? Or were each of these missions to be addressed by a separate regional force?

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Meeting of the Defense and Security Minister from Central America and the U.S. in Key Biscane, FL.

## Democracy Shaky in Nicaragua; U.S. Actions Counter-Productive

By *Geoff Thale*

In recent years in Nicaragua, a peculiar political alliance between former President and FSLN party leader Daniel Ortega and former President Arnaldo Alemán, head of the conservative PLC party, has politicized key democratic institutions. Meanwhile, the United States has focused not on even-handedly criticizing this "Pact" for harming democratic institutions, but on political maneuvering intended to forestall an Ortega victory in the upcoming 2006 Presidential election in Nicaragua. As a result, U.S. actions have also undermined Nicaraguan democratic processes.

### Pacts and Power Struggles

In late 1999, long time political rivals Daniel Ortega, a former President, and Arnaldo Alemán, then-current President, came to a surprising political agreement, known as the "Pact." It was near the end of Alemán's presidential term, and each man saw an alliance as politically beneficial as they looked to the future.

Ortega and Alemán mobilized their combined parties' seats in the National Assembly to push through laws and constitutional reforms that helped them gain more power over Nicaragua's institutions, and lowered the chances they would be prosecuted for wrong-doing. They expanded the membership of key institutions, such as the Supreme Court, the Supreme Electoral Council (which sets the ground rules for elections), and the Comptroller General's Office (which investigates corruption allegations), and divided up the new seats between their two parties. In addition, they modified the electoral laws to the advantage of their two parties.

None of these measures were illegal—all were approved by parliamentary majorities, and followed accepted procedures. Their practical impact however has been to weaken democratic institutions by compromising the independence of Nicaraguan political institutions.

By 2001, the alliance between Ortega and Aleman had given way to electoral competition. Barred constitutionally from a second consecutive term, Alemán

selected his vice president, Enrique Bolaños, as the party's candidate for the 2001 Presidential elections. With the support of Alemán and the PLC, Bolaños ran against Ortega and won the 2001 election.

But Bolaños proved to be more independent than Alemán had expected. In a move applauded by Nicaraguan civil society, he led an anti-corruption campaign in 2002 that led to the indictment and conviction of Alemán, widely considered one of the most corrupt elected officials in recent Nicaraguan history. Despite this, Alemán retained his political influence, even while in prison. It was President Bolaños who found himself politically isolated.

Once again, Ortega and Alemán negotiated a series of deals. Alemán wanted his prison sentence modified or overturned; Ortega wanted to stop aspects of the neo-liberal economic programs that Bolaños had proposed; both Alemán and Ortega wanted to weaken Bolaños overall.

Conflict between Bolaños and the National Assembly—controlled by Ortega and Alemán—intensified in 2005. The Assembly reformed the Constitution to transfer certain powers from the executive to the legislature, including the authority to appoint many officials, and deputies revived earlier proposals to impeach the President. On June 6, Bolaños called on the Organization of American States (OAS) for help. He argued that the Assembly's efforts amounted to a *de facto* coup, and he asserted that the OAS should intervene to protect the constitutional order.

In mid-October, Ortega announced that he had met with President Bolaños, and was breaking his alliance with Alemán. As part of this deal, he and his political bloc in the National Assembly postponed implementation of the constitutional reforms stripping presidential powers, until after the next Presidential election. This agreement appears to be the result of a number of factors, including the work of the OAS, international pressure on both Bolaños and Ortega, and domestic electoral calculations. Whatever the mix of motives, this is a welcome agreement, in that it resolves the immediate crisis, and appears to end, at least for now, the "Pact" that has undermined democratic institutions in Nicaragua. But there is much that will need to be done if democratic institutions' independence is to be genuinely restored and guaranteed.

## The Nicaraguan Electoral Process

Interacting with the institutional and democratic crises, Nicaragua has been looking forward to presidential elections, scheduled for November of 2006.

In the fall of 2004, the Sandinista Party won a majority of posts in municipal elections across the country. This victory reflected the continuing strength of the party's grassroots organizational capacity, as well as disillusionment with the economic record of President Bolaños. It also appeared to foreshadow a possible Sandinista victory in the 2006 Presidential elections.

Ortega, seeing the possibility of victory, has sought to ensure that he would be the FSLN candidate, and that intra-party rivals would be blocked. Alemán, burned by his experience with Bolaños, has sought to assure that the Liberal candidate would be loyal to him.

U.S. officials have long been hostile to the FSLN, and concerned about the possibility that the Sandinista Party, and in particular long-time party leader Daniel Ortega, might return to power. Much of this hostility is rooted in the late Cold War era, when the Reagan Administration supported the Nicaraguan *contras* in their effort to drive the FSLN from power. When Ortega lost the 1990 presidential elections, the George H.W. Bush Administration rushed to provide support to the new non-Sandinista government. In both the 1996 and 2001 Presidential elections, U.S. officials denounced Ortega publicly, and made clear to Nicaraguan voters that the U.S. would not look favorably on an Ortega Administration.

Worried that Ortega and the FSLN might win the Presidency in 2006, the U.S. Embassy in Nicaragua began to host meetings of conservative political party leaders last year, hoping to unify conservatives behind a common candidate. U.S. officials, most recently Undersecretary of State Robert Zoellick, have visited Nicaragua to urge conservatives to abandon Alemán and the Pact, and to unite behind a single candidate.

In remarks typical of the kind of diplomacy the United States has pursued, then-Assistant Secretary of State for Western Hemisphere Affairs Roger Noriega said in July, 2005, "[T]he Nicaraguan people probably value the relationship with the United States, but also value their own wellbeing and I believe that they recognize that with a

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# Transitions at WOLA

By Joy Olson

A historic transition is taking place at WOLA. Joe Eldridge, who has been chair of WOLA's board since 2000, has stepped aside. While Joe's wisdom, leadership and irrepressible humor can never be replaced, WOLA is privileged and honored to welcome Alex Wilde as the new chairman effective in October of this year.

WOLA's identity and Joe Eldridge have been connected since the founding of the organization. One of WOLA's first executive directors, Joe served in that position from 1974 to 1986. He joined the board in 1990. And though he is leaving his position, he plans to maintain a close relationship with the organization (He is already being recruited for the development committee!)

Six years ago, WOLA's board established term limits for board members, in an effort to improve the board's structure and functioning for the long-term and to ensure that new people are regularly brought onto the board. The first round of board changes, enforced by the term limit, hit this fall. Leaving the board along with Joe, after many years of service, are Lee Zeigler of San Francisco, CA, formerly with Stanford University, who served on the board for six years, Lars Schoultz of the University of North Carolina, who also has been on the board for six years and, Seamus Finn, who has been a part of WOLA even longer, serving since 1997.

Term limits also mean that new individuals

are joining the board. The two newest board members are Gabriela Lemus, director of policy and legislation with the League of United Latin American Citizens (LULAC), and Michael Maggio, a well-known immigration lawyer here in Washington and partner in the firm Maggio and Kattar.

Alex Wilde, our new chair, brings a rich history of experience with WOLA, with the region, and in academia, funding, and communications. Alex holds a PhD in Political Science from Columbia University and started his career as an academic working at, among others, the Kellogg Institute at Notre Dame, the Woodrow Wilson Institute, and the University of Wisconsin. He was the Executive Director of WOLA from 1987 to 1993 and then worked for the Ford Foundation for 11 years both in Chile and in New York as Vice President for Communications.

The WOLA staff and board are thrilled to have Alex Wilde assume the responsibilities of board chair. We are also exceedingly grateful to Joe, Lars, Lee and Seamus for their service and support for WOLA and its mission. The challenge before WOLA's changing board is to maintain the best of WOLA's 31-year history, while involving new people in WOLA's mission to promote human rights and social justice in Latin America and in U.S. foreign policy. 🦋

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## Nicaragua

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Sandinista president, the country would sink like a stone and reach depths such as that of Cuba; and that the economy would probably be affected." This sort of public intervention in Nicaraguan internal affairs undermines democracy, generates anti-American hostility, and creates a backlash against the candidates the U.S. appears to favor.

The pact between Alemán and Ortega has clearly harmed Nicaragua's democratic institutions. The United States should be clear about its opposition to political agreements that weaken democracy. But that ought to be distinct from U.S. support for particular political candidates. A constructive U.S. role would:

- ▷ Support the continuing work of OAS Special Envoy Caputo to facilitate dialogue;
- ▷ Support international monitoring of the 2006 elections process, with particular attention to ensuring that candidates are not unfairly excluded from the electoral process through political manipulation;
- ▷ Criticize political agreements that undermine the independence of political institutions, but refrain from supporting or opposing particular electoral candidates;
- ▷ Support efforts to preserve and strengthen Nicaragua's democratic institutions and encourage the independence of institutions through monitoring and technical assistance. 🦋

## Militaries

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Pentagon officials were vague on that point. They discussed Central American military humanitarian assistance units and a new regional peacekeeping battalion as if they were one regional military force with multiple missions. They also denied that gangs and other criminal threats were a major topic of discussion or would be a major focus of this regional force.

The Central American military officials were much clearer that they were interested in creating a regional rapid response force for emerging transnational threats that would be different and separate from the already existing humanitarian assistance units and the newly formed peacekeeping training center. Guatemala Defense Minister Maj. Gen. Carlos Humberto Aldana was quick to point out that, "As far as peacekeeping operations, that's another independent mission, separate from this one [the rapid response force], because we believe that we need trained personnel to be able to do this and also we have the humanitarian and rescue units which precisely are supposed to address natural disasters."


Adding to the confusion, some statements by Pentagon officials made it appear as if they were supportive of efforts to involve Central American militaries in combating gangs and other criminal threats. For example, in his remarks at the conference plenary, Rumsfeld stated:

There are still some who want to obstruct the path to social and economic progress, to return Central America to darker times of instability and chaos. They form an anti-social combination that recognizes no borders and preys on the vulnerabilities that exist: drug traffickers; smugglers; hostage-takers; and terrorists and violent gangs. These threats are serious, but our countries are combating them, and together we can defeat them. However, it's clear that they can be effectively fought only if countries work together even more closely than we are today, because no one nation can deal with those kinds of cross-border threats. ... *Of course to meet a number of today's security challenges, the military is not the answer. Differing threats require differing instruments of national power, and each*

*country needs to determine the role of the military and its security forces in its own way, according to its own history and distinctive constitutional principles. Yesterday's convenient division of bureaucratic duties has been deemed today to require some adjustment. (Emphasis added.)*

When pressed on exactly what he was referring to in his allusion to the "anti-social combination" that seeks to "return Central America to darker times of instability and chaos," Rumsfeld appeared to have gangs in mind when he responded, "My lord, you live in a neighborhood where a gang takes over, I don't care whether it's Chicago or wherever, that is against freedom, that is against the people being able to get up in the morning and go where they want and say what they want and do what they want because fear and intimidation take over and they own the streets and they own the town and that's dangerous."

At best the U.S. government was sending mixed messages about whether Central American militaries should combat transnational law enforcement threats. Given Rumsfeld's comments about the need to adjust the bureaucratic divisions between police and military institutions to respond to today's emerging threats (instead of expressly stating that police roles are inappropriate for the military), it is likely that the Central Americans left Florida with the impression that the Pentagon was supportive of its plan for a rapid reaction force to combat law enforcement threats.

Regional, coordinated efforts are necessary for Central American countries to address the problems of organized crime, youth gangs, drug trafficking, and other threats, and the United States should help Central America confront these challenges. These threats require effective policing and judicial systems. Although Central American police and judiciaries currently are not up to the challenge, that is no reason to hand those missions over to the military. Instead, the U.S. government should focus even more vigorously on efforts to professionalize, democratize, and promote rights-respecting civilian police and law enforcement institutions throughout the region. Furthermore, the U.S. should maintain a clear division between the appropriate roles of police and the military. Failing to do so undermines the peace accords achieved in El Salvador and Guatemala in the 1990s, which expressly called for the demilitarization of public security institutions. 

## Washington Policy Work

- ▷ Leading up to the vote on the Central America Free Trade Agreement (**CAFTA**), WOLA worked hard to put the important issues before members of Congress. In particular, WOLA, with Human Rights Watch and the AFL-CIO, held a congressional briefing sponsored by Marcy Kaptur (D-OH) to explain our central concerns with the CAFTA labor clause and to counter highly misleading information published by the USTR on labor law and compliance in Guatemala.
- ▷ WOLA has raised concerns with the Andean Free Trade Agreement (**AFTA**) with members of Congress and with the embassies of the Andean countries negotiating the agreement. Rep. Jan Schakowsky (D-IL) is circulating a congressional Dear Colleague letter, highlighting concerns on rural employment, access to healthcare and medicines, and labor rights that will be sent to U.S. Trade Representative Robert Portman.
- ▷ In June, WOLA played a key role in raising questions about the effectiveness of Plan Colombia as a **drug control policy** during the debate on the FY2006 Foreign Operations Appropriations Bill in the House of Representatives. WOLA staff participated in advocacy and lobbying work in support of the McGovern-McCollum-Moore (KS) amendment to cut military aid for Colombia by \$100 million. New bipartisan allies were identified during this year's debate who agreed that Plan Colombia has been an expensive drug control failure. Nevertheless, the McGovern et al. amendment did not muster the votes necessary to pass.
- ▷ This October, WOLA hosted the launch of the Human Rights Working Group on Citizen Security, a new initiative of 12 civil society organizations in the United States and Latin America with the goal of exchanging information and experience on **public security** work, and collaborating with the Inter-American Commission on Human Rights (IACHR) and the Organization of American States (OAS) to promote citizen security policies that respect human rights. The group's visit to Washington included a thematic hearing at the IACHR on citizen security, a public luncheon and meetings with the Inter-American Development Bank, USAID, the U.S. Department of State, and OAS officials.

## Outside the Beltway Policy Work

- ▷ WOLA has been working to engage Latinos in the United States in discussions on U.S. / Latin American policy. In July, Geoff Thale and Jeff Vogt attended the national conference of the League of United Latin American Citizens (LULAC) in Little Rock, Arkansas. They participated in meetings and panel discussions on the issues of **trade and youth gang violence**.



Adriana Beltrán (WOLA), Marie Elena Peralta (victim's sister), and Susana Villarán (IACHR) presenting on violence against women at a briefing on Capitol Hill.

- ▷ Joy Olson and Laurie Freeman attended a conference in Key Biscayne, Florida hosted by Secretary of Defense Donald Rumsfeld with Central American defense and security ministers. The meeting focused on threats facing the region, including drug trafficking, organized crime, terrorism, illegal migration, youth gangs and natural disasters. The majority of these threats fall within the purview of **civilian law enforcement**, not military institutions. WOLA was quoted in the *Miami Herald* stating that, "Having the Pentagon host the event was a wrong message; responding to the gang problem is not, and should not be, a military undertaking."

## Presenting Latin American Voices

- ▷ Ernesto Bardales, president of a Honduran NGO that provides preventative and rehabilitative programs for at-risk youth and gang members, came to Washington, D.C. for an IACHR hearing on **youth gang violence** in Honduras. Additionally, WOLA facilitated his meeting with local youth gang service providers and congressional offices, and organized a discussion with NGOs and government offices.
- ▷ WOLA worked with the Indian Law Resource Center and EarthRights International to organize the visit of indigenous leaders from the Amazonian region of Peru and Ecuador. The groups traveled to Washington, D.C. to discuss the impact of extractive industry projects on the livelihood of indigenous communities in the **Andean** region with international financial institutions, congressional offices and NGOs.
- ▷ In October, WOLA hosted Álvaro Morales, member of the Executive Committee of the *Central Unitaria de Trabajadores* (CUT), the largest Colombian labor confederation, to meet with members of Congress to explain the dire situation in Colombia for trade unionists. That same week, WOLA facilitated

meetings and press conferences for the *Frente de Trabajadores Vanguardia Obrera*, FTOV-CROC, a Mexican trade union that was in D.C. to present a NAFTA labor side complaint, supported by WOLA, to the U.S. Department of Labor. The case concerns the use of child labor in a U.S.-owned *maquiladora* to produce Halloween costumes for U.S. consumption.

- ▷ In late July, Juan de Dios García, Carlos Chen Osorio, and Antonio Vásquez Xitumul, members of Maya Achí communities that were negatively affected by the construction of the Chixoy Dam in **Guatemala**, came to Washington along with anthropologist Barbara Rose Johnston, PhD, to formally present their study, “The Chixoy Dam Legacy Study,” to the World Bank and the Inter-American Development Bank as part of their efforts to urge the Banks to participate in a recently established Damages Verification Commission that will examine their claims.
- ▷ WOLA and the Robert F. Kennedy Memorial hosted a delegation of Brazilian human rights defenders that included Darci Frigo, lawyer and founder/coordinator of *Terra de Direitos* (Land/Earth Rights), and Carlos Gaio, coordinator of international relations for *Justiça Global* (Global Justice). Darci and Carlos, who met with various congressional offices and the Executive Secretary of the IACHR, gave a briefing on Capitol Hill, sponsored by Rep. Tom Lantos (D-CA). They gave testimony before the IACHR and launched an international campaign to end rural violence and impunity in **Brazil**—an event which took place at WOLA.
- ▷ In October, WOLA coordinated the visit of José Zeitune, Legal Officer for the Latin America Program at the International Commission of Jurists (ICJ), who presented information on the ICJ’s newest publication, *Justice in Guatemala: A Long Road to Travel*. The report details the status of the Guatemalan justice system and analyzes both access to the legal system and the status of human rights defenders. Zeitune met with representatives from the World Bank, USAID, the State Department, and Congress.
- ▷ On October 26, Edda Gaviola, Executive Director of the Center for Legal Action on Human Rights (CALDH), and Maria Elena Peralta, member of the Network of Survivors (*Asociación Sobrevivientes*), and sister of Nancy Karina Peralta, a young woman murdered in Guatemala, participated in a congressional briefing facilitated by WOLA and Amnesty International. The briefing addressed the serious problem of Violence Against Women in **Guatemala**. Edda and Maria Elena spent the remainder of their time in Washington meeting with congressional offices, the Department of State, and NGOs.
- ▷ In September, WOLA organized a briefing sponsored by the Congressional Human Rights Caucus on *Searching for Truth and Justice: Forensic Science in Latin America* where representatives of the Argentine Forensic Anthropology Team, Bode Technology Group, Amnesty International, and WOLA spoke about the *Latin American Initiative to Identify the Disappeared*, an effort to use DNA technology to identify victims of extrajudicial executions and forced disappearances in the region. Congresswoman Debbie Wasserman Schultz (D-FL) presided over the briefing. As a result of the briefing, several members of Congress have sent letters to appropriators in support of funding for the *Initiative*.
- ▷ In October, WOLA and the Latin America Working Group co-hosted a visit from representatives of the **Colombian** National Victims Movement. Iván Cepeda, the son of Senator Manuel Cepeda who was killed by paramilitaries, and founder of the Manuel Cepeda Foundation, was joined by representatives from Sinaltrainal, the national food worker’s union, ASFADDES, the Association of Relatives of the Disappeared, and ASFAMIPAZ, an association of relatives of soldiers and police who have been captured by the FARC guerrillas. The groups spoke about the growing unity of the victims’ movement and presented images from their “*galería de memoria*” at a public event.
- ▷ Also in October, WOLA hosted a seminar entitled “Perspectives on Human Rights in **Venezuela**,” featuring representatives from seven Venezuelan human rights organizations, all of whom were in Washington to present their views to the IACHR.



Washington Office on Latin America information booth at the Lutheran Global Fest in Baltimore, MD

## WOLA in Latin America

- ▷ In September, WOLA staffer Jeff Vogt traveled to Mexico City to take part in a regional meeting to develop a common advocacy position for the Summit of the Americas in Mar del Plata, Argentina, the focus of which will be employment and poverty alleviation. The NGO coalition was successful in developing a draft declaration and plan of action, which were subsequently presented to the OAS.
- ▷ As part of ongoing efforts to form a research project on **transnational gangs** in Central America and the United States, Geoff Thale traveled to Mexico City and met with researchers from the Universidad Centroamericana in San Salvador and the Instituto Tecnológico Autónomo de México (ITAM) in Mexico.
- ▷ In September, Jeff Vogt traveled Colombia, to attend the 12th round of the Andean Free Trade Agreement (**AFTA**) negotiations. There he met with the negotiating teams from Colombia, Ecuador and Bolivia to discuss concerns about the impact of the agreement on the rural poor and intellectual property issues.
- ▷ WOLA launched *Drogas y democracia en América Latina: El impacto de la política de Estados Unidos* in Mexico on June 21 with a three-panel seminar at the Universidad Nacional Autónoma de México (UNAM) as well as meetings with NGOs and public officials. Similar book presentations and meetings followed in Cuba at the Universidad de Havana, in Argentina at the Universidad de San Andrés, and in Puerto Rico at the University of Puerto Rico and the Universidad Carlos Albizu. Additional presentations are being planned in Colombia and Peru. These events fostered debate about international and regional **drug policy** and explored alternative approaches. The seminars included analysis from local academics, experts, and human rights defenders in each country.
- ▷ Laurie Freeman traveled to **Mexico** for two weeks in June, where she went to Zihuatanejo and Chilpancingo, Guerrero, to visit with imprisoned environmental activist Felipe Arreaga and to encourage local officials to release him. Mr. Arreaga was arrested under trumped-up charges fabricated by the local illegal-logging elite. After almost a year of incarceration, Mr. Arreaga was finally freed in September.
- ▷ Adriana Beltrán coordinated press work on the legal reforms related to security, intelligence and military justice laws currently under review by the Guatemalan Congress. The reforms go against the stipulations of the 1996 peace accords and represent a huge step backwards in the consolidation of a democratic system in Guatemala. Adriana's official statement was quoted by the Guatemalan newspaper, *Prensa Libre*, "Effectively confronting the high levels of violence and poor security in **Guatemala** requires strategic, multi-dimensional policies not isolated, one-sided efforts."
- ▷ Joy Olson and Laurie Freeman raised concerns about redefining the roles of regional militaries at the Central American Defense Ministers meeting held by Secretary of Defense Rumsfeld this October. The *Associated Press*, *Reuters* and the *Miami Herald* all ran articles citing WOLA's concerns about regional plans to conduct joint military operations in order to combat problems traditionally handled by civilian authorities and the police. The *Reuters* article quotes Joy Olson's pointed questions: "Why are we talking with militaries about combating crime? Shouldn't a different set of actors be in the room?"
- ▷ Jeff Vogt has focused a portion of his work on the Andean Free Trade Agreement (**AFTA**) negotiations on relaying WOLA's message to the press. In Latin America, he has been quoted in *La República* (Peru), and on several Colombian television channels (RCN, Caracol). Jeff has also been quoted frequently in *Inside U.S. Trade*, the leading source of news on international trade.
- ▷ The Latin America presentations of WOLA's book on **drugs and democracy** received widespread press coverage. The Mexico event was discussed in all the major newspapers, magazines, and radio and television shows, including a series of articles in *El Financiero* and extensive interviews in *Detrás de La Noticia*, *Reforma* and *Canal Once*. The Puerto Rican event made a strong impact in the media as well. Among others, *Hoy* newspaper authored an article about the failure of the drug war and its negative impacts on human rights.
- ▷ *The New York Times* published a front-page article on the murders of women in Ciudad Juárez and Chihuahua, **Mexico**. The article describes serious flaws in the murder investigations—including the fabrication of evidence and the torture of innocent scapegoats—and it reports that "[w]hether through incompetence, corruption or a lurid connection to the killings, the bungling and cover-ups are so extensive, federal investigators say, that the police and other officials have themselves become suspected of links to the crimes." 🇲🇽

## WOLA in the News

- ▷ This summer, a series of op-eds written by Gastón Chillier and Laurie Freeman based on their new report, "Potential Threat: The New OAS Concept of **Hemispheric Security**," ran in newspapers in five countries in Latin America. The list included *La Tercera* (Chile), *Milenio* (Mexico), *El Tiempo* (Colombia), *El Comercio* (Peru), and *Clarín* (Argentina).



# New Publications

- ▷ **A Long Road: Progress and Challenges in Guatemala's Intelligence Reform.** A WOLA Special Report, October 2005. WOLA teamed up with Iduvina Hernández, analyst and director of the Association for the Study and Promotion of Security in Democracy (SEDEM),

to produce this examination of the current state of intelligence system reform in Guatemala. Available in both Spanish and English, the report details the different proposals to reform the intelligence system that have been discussed and, in some cases, implemented since the signing of the Peace Accords in 1996. It argues that the process

of reforming the old intelligence structures has produced mixed results. The report was timely as the Guatemalan Congress has been discussing a number of legislative proposals for intelligence reform.

- ▷ **Rights and Development**, Vol. 3, No. 1, August 2005. This issue of Rights and Development tackles the topic of land reform in Brazil as its cover story, concentrating on the common problems of highly concentrated land ownership and widespread impunity in rural areas of the country such as Pará. The Labor Updates section outlines the current situation of labor in Guatemala, Mexico, and Colombia. This issue also highlights the push by some in the U.S. Congress to renew a provision to ban economic aid to countries

that have accepted the jurisdiction of the International Criminal Court but have not signed immunity agreements to exempt U.S. personnel.

- ▷ **Voices from the Field: Local Initiatives and New Research on Central American Youth Gang Violence**, a Conference Report, August 2005. WOLA along with the Pan American Health Organization and the Due Process of Law Foundation hosted a conference on the

problem of youth gang violence in Central America. Despite the recent media attention, there is little reliable information about the problem. Gang violence in Central America has complex roots, and requires a complex set of solutions that include, but must not be limited to, effective law enforcement mechanisms. This report identifies some of the key issues in addressing the problem of gang violence, and makes a set of recommendations about the role of Central American governments and the international community.

- ▷ **The Colombian Conflict: Regional Impact and Policy Responses**, a WOLA Conference Report written by Kimberly Stanton, August 2005. This report is a follow-up to WOLA's April 19, 2005 conference examining the state of the Colombian conflict, its regional implications, and the role of the international community. It synthesizes the main findings and recommendations of the remarkable group of scholars, advocates and practitioners who participated.

- ▷ **Potential Threat: The New OAS Concept of Hemispheric Security**. A WOLA Special Report written by Gastón Chillier and Laurie Freeman, July 2005. Also available in Spanish and Portuguese. This report explores the new "multidimensional" concept of security being promoted at the Organization of American States which broadens the traditional definition of national defense to incorporate new threats, including political, economic, social, health and environmental concerns. This tendency to see a wide variety of problems as security threats will likely obstruct the long and difficult path toward consolidating democracy and strengthening civilian institutions in the region.



# Latin American NGOs Launch Regional Initiative on Citizen Security and Human Rights

By Laurie Freeman

Latin America has some of the world's highest rates of crime and social violence. Yet throughout the region, governments have proven largely incapable of providing effective solutions to the growing insecurity. Leading politicians and public security officials frequently implement hard-line policies that not only fail to reduce crime and violence, but also threaten or directly violate human rights. In effect, these responses make the solution part of the problem by generating further violence and insecurity.

Unfortunately, the prevailing perception among both public officials and private citizens is that human rights are an obstacle to effective crime-fighting strategies. To dispel this myth, a group of non-governmental organizations from Latin America and the United States has begun working together at the regional level to address citizen security issues within a context of respect for human rights. Their aim is to encourage the Inter-American Commission on Human Rights (IACHR), as well as political bodies at

the Organization of American States (OAS), to promote democratic security policies among member states that both respect human rights and effectively address the problems of citizen insecurity.

At a September meeting in Buenos Aires, twelve organizations, each with extensive local expertise on public security issues, met to discuss the region's security challenges and to develop a joint initiative on "Citizen Security and Human Rights at the Inter-American System."

The first major action was a special thematic hearing on citizen security and human rights at the IACHR's October session. Representatives of several organizations participated in the hearing, where they recommended ways that the IACHR can more systematically and proactively address the issue of citizen security.

The IACHR has, in fact, developed a large body of work on citizen security issues, primarily with respect to individual cases (of arbitrary detention, extrajudicial executions, prison conditions, etc), but also in terms of broader issues such as access to justice for marginalized sectors and violence against women. The idea of the initiative is for the IACHR to standardize its work on citizen security, systematically incorporate the issue into its future efforts, and generate guidelines and principles that can be used by member states in formulating public security policies and in reforming and strengthening security institutions.

At the hearing, participants proposed several ways the IACHR could begin addressing security issues in its work, such as: issuing a thematic report on citizen security challenges in the region and guidelines for states; holding hearings with experts in the region to discuss citizen security with a wide range of affected sectors; developing a code of police ethics for the region (modeled after the European Union code); promoting best practices for carrying out criminal investigations; and systematizing standards on use of force, interrogations, pretrial detention, the separation of police and military functions, and equal access to justice for marginalized groups. In terms of the thematic report, the hearing participants recommended that it could be based on an analysis of the jurisprudence and opinions of the Inter-



OAS Human Rights Commissioners listen to testimony offered by NGO's at a hearing on citizen security and human rights.


American Human Rights System with respect to the following three issues: 1) control of state powers in security matters; 2) democratization of police and public security institutions; and 3) access to justice and state responsibility for rights violations committed by private citizens.

Participants stressed that the IACHR has an important and positive role to play in helping governments in the region effectively address crime and insecurity, beyond its traditional role in limiting state power in efforts to prevent, investigate, and punish crimes. The IACHR has an opportunity to make recommendations for structural reforms that are needed in order to strengthen and democratize public security institutions, as well as to articulate the obligations of states to protect citizens from crime and violence. In other words, the IACHR can offer positive recommendations for what states should do to ensure these rights are respected, instead of just telling them what they can't do.

Members of the IACHR were enthusiastic about the proposal, and it seems likely they will incorporate citizen security issues into its agenda.

Participants also discussed the initiative with a range of other officials from the OAS (including the Secretary General's office and the Department

of Multidimensional Security), the Inter-American Development Bank (IDB), the U.S. Department of State, and the U.S. Agency for International Development. The IDB and OAS in particular, were supportive of the initiative and interested in seeing what the IACHR eventually produces and how it can be useful and complementary to work they are doing on security issues in Latin America.

Organizations participating in the initiative include: Centro de Estudios Legales y Sociales, Asociación por los Derechos Civiles and Universidad Nacional de Rosario from Argentina; Conectas Direitos Humanos / Sur—Rede Universitária de Direitos Humanos, Viva Rio, Núcleo de Estudos da Violência da Universidade de São Paulo, and Sou da Paz from Brazil; Centro de Estudios de Seguridad Ciudadana from Chile; Fundación de Estudios para la Aplicación del Derecho from El Salvador; Instituto de Defensa Legal from Peru; Instituto para la Seguridad y la Democracia and Centro de Derechos Humanos Miguel Agustín Pro Juárez from Mexico; and WOLA and the Open Society Institute Justice Initiative from the United States. See WOLA's webpage at [www.wola.org](http://www.wola.org) to view the document presented at the IACHR hearing. 

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