

# SCHOLARS at RISK

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SAR uOttawa

Annual Report 2019

\*MONITORING\*

**Elaborated by:**

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Since January 2018, the working team of Scholars at Risk in the Americas at the University of Ottawa has focused on identifying, verifying, and tracking incidents in seven countries of the Americas: Canada, Mexico, Haiti, Honduras, Colombia, Venezuela, and Brazil. A thematic framework defines our research, focusing on

governmental and social tensions or in some cases political crises in which forces in power may use coercive methods to prevent or limit academic freedom. Our work has also revolved around creating advocacy strategies to improve protection and reduce attacks in the region.



# Our Scope

In 2019 we included **BRAZIL**.



We have a search log with 220 global, regional and local sources related to Higher Education, Human Rights, Universities, and Media in the seven countries of our scope. In 2019 we are in the process of reporting 25 cases in which academic freedom is at risk.

# Our MONITORING

<p>Venezuela</p> <p>Most tracked cases are related to wrongful imprisonments and detentions.</p>	<p>Honduras, Haiti, Colombia and Mexico</p> <p>Most reported cases are related to violent repression to protests due to current political crises. Those containment to protests have included killings and intimidation.</p>
<p>Brazil</p> <p>Most tracked cases are related to universities whose autonomy is at risk.</p>	<p>Canada</p> <p>Most tracked cases are related to retaliatory discharges, losses of position, and risks of university autonomy.</p>

# The risk of protesting in the Americas

Student protests have been violent repressed across the region

In monitoring cases in the Americas in 2019, a trend is evident: student voices seem to get louder, stronger, and in-sync. Student demonstrations have become fundamental pieces of the political and social discontent multiple countries in the Americas are expressing. Some media reports even called the wave “Latin America’s Spring”. Thousand of students in Mexico took the streets to protest against gender violence<sup>1</sup> and to demand justice in the cases of disappearing classmates<sup>2</sup>; multiple student demonstrations paralyzed Chile, opposing the raised prices of public transportation<sup>3</sup> and asking for constitutional reforms<sup>4</sup>; students in Perú joined unions and other sectors to call for the dissolution of Congress due to multiple cases of corruption<sup>5</sup>; a great number of students and teachers protested across Brazil against Jair Bolsonaro’s federal cuts in education spending.<sup>6</sup>

However, the trend is further complicated when the government response is added to the game. In all tracked cases, the governments in the region responded with repression and intimidation using violent means to suppress protestors. Military police and anti-disturbances squadrons used tear gas and even firearms to disperse marches, leaving many strikers injured and some killed as a result. Governments protected and judicially shielded the police forces in the acts of violence and human rights violations against protestors. In general, across the Americas, the right to protest has not been guaranteed and even criminalized.

Our team has followed closely the cases of Colombia, Honduras, and Haiti that exemplify the general situation of the region. In Colombia, repression and violence towards student protests occurred within a

broader context of the police's repetitive and arbitrary use of force against participants of the National Strike, which left 839 detained, 392 sanctioned, 280 injured, and 47 prosecuted.<sup>7</sup> Similarly, in Honduras, there has been a growing climate of intimidation against student protests, reflecting an escalation of the confrontation between civil society and the government. In Haiti, student protests had spiraled alongside a greater revolutionary movement against President Jovenel Moïse.

### **In Colombia**

In late November 2019, hundreds of thousands of Colombian pensioners, students, social leaders, and union members took the streets of the country's main cities to protest over labour, pension and tax reforms being discussed in the Colombian National Congress, the killings of grass-roots leaders, the lack of financial support of public universities, and the government's alleged failure to implement the peace process.<sup>8</sup> The movement grew as other sectors joined in and the rallies across the country became one of the biggest mass demonstrations in recent years.<sup>9</sup>

“Social media outrage, marches, sit-ins, and *cacerolazos* (protesting by banging pots and pans in the street or from windows)”<sup>10</sup> continued intermittently until February 2020 when the Covid-19's pandemic broke out. Our team monitored two forms of repression to these demonstrations: one from the government and the other from groups outside the law.

On one hand, Iván Duque's government responded to marches with a heavy hand: illegally raiding homes of activists, artists, and alternative media journalists; stigmatizing protestors, criminalizing the right to protest, and using the Colombian National Police's Mobile Anti-Disturbances Squadron (ESMAD) to violently break up any gathering of demonstrators.<sup>11</sup> In one of those clashes, in Bogotá, 18-year-old Dylan Mauricio Cruz was murdered. One ESMAD officer projected tear gas at Cruz's head, causing severe damage to his brain. Cruz was admitted to a hospital, where he later died.<sup>12</sup> “According to the coalition *Defendemos la Libertad*, which is made up of 60 organizations working together to conduct observation of social protests, over 400 cases of abuse at the hands of the ESMAD and other police



were reported just between November 21 and 27, 2019. This includes 16 eye injuries caused by tear gas canisters and other projectiles”.<sup>13</sup>

On the other hand, at the end of 2019, academic associations such as Federación Colombiana de Educadores (FECODE) and Asociación Sindical de Profesores Universitarios (ASPU) denounced having received death threats from a paramilitary group self-named “Aguilas Negras”.<sup>14</sup> The intimidations also reached other members of the academic community such as Samuel Cáceres, a student from Universidad Militar Nueva Granada in Bogotá, a supporter of the protests and a member of the political party Polo Democrático. Cáceres received death threats which made false links between his political and social activism as a student leader and illegal armed groups.<sup>15</sup>

Our team also tracked when dozens of pamphlets signed by the armed group Autodefensas Gaitanistas de Colombia (AGC) started circulating on Universidad de Antioquia (UdeA)’s campus in Medellín in March 2nd, spreading terror among the academic community.<sup>16</sup> Professor Sara Fernández Moreno, secretary of

the Board of Directors of the UdeA Association of Professors, was one of the targets. Words became actions on March 5, 2020, when professor Fernández was stabbed at her house by an unidentified individual.<sup>17</sup> While professor Fernández survived the stabbing, the circumstances of the attack are still under investigation.

### **In Honduras**

In April 2019, members of the healthcare and education sectors took to the streets in Honduras. Strikes were triggered by two executive emergency decrees approved by Parliament that established the creation of a Special Commission to transform the National Health and Education Systems. The affected sectors vocalized that the proposed reforms opened the door to privatization and massive layoffs.<sup>18</sup> Although the decrees were repealed in June, demonstrators continued voicing their discontent at the streets and denied participating in a discussion table called by the government.<sup>19</sup> The social turmoil grew when the healthcare and education rallies were followed by massive marches led by Juan Orlando Hernández’s opponents demanding his resignation after

a US court's document indicated that his 2013 presidential campaign had been financed with drug money.<sup>20</sup>

Like Duque in Colombia, Hernández responded with repression and violence: media outlets reported three deaths and 20 injuries among protestors and “several people were injured by tear gas used when security forces attempted to evict demonstrators who were blocking major streets in Tegucigalpa”.<sup>21</sup> Moreover, Honduras' government used the penal system to impose “exemplary punishments”<sup>22</sup> that discourage social protest, whereas human rights violations in the contexts of protest continued without being properly investigated.<sup>23</sup>

Our team monitored multiple cases in which police forcibly entered university campuses to break demonstrations with devastating consequences. For instance, “in June 2019, some 40 military police violently entered the National Autonomous University of Honduras (UNAH) campus and fired tear gas on protesters, who responded by throwing stones. The police then opened fire with rifles”<sup>24</sup> and shot dozens of people who were demonstrating in the main entrance. At least five students were gravely injured while running away from

the confrontation. In July 2019, police forces used tear gas against a student protest taking place at Universidad Pedagógica Nacional Francisco Morazán, which also affected children at a nearby primary school.<sup>25</sup>

### **In Haiti**

The relationship between President Jovenel Moïse and Haiti's people has never been free of tensions. Moïse came into office already accused of laundering millions of dollars.<sup>26</sup> He had his first clash with protestors when attempting to remove energy subsidies in July 2018 and then when being implicated in the massacre of the neighborhood of Lasalin in Port-au-Prince, where buildings and schools were fired upon, more than 70 people were tortured and killed, women were sexually assaulted and raped and hundreds were forcibly displaced from homes in November 2018.<sup>27</sup>

At the beginning of 2019, confrontations got worse when thousands of people took to the streets in the capital and other cities demanding his resignation. “Moïse stood accused of embezzling millions of dollars from the proceeds of the PetroCaribe energy loan pro-

gram extended by Venezuela”<sup>28</sup>. The Conference of Rectors and Presidents of Haitian Universities, in June 2019, argued that “the demands of the protest movements are ‘legitimate’. They “touch on fundamental rights, such as the right to life, health and social protection, education, housing, security; the right to a decent life”<sup>29</sup>

Again, the government response was brutally violent. The Office of the United Nations High Commissioner for Human Rights stated that at least 42 people had died and 86 were injured since this wave of demonstrations in Haiti began. Many of the injured had gunshot wounds<sup>30</sup>. In addition, some media also reported that “Jovenel Moise uses paramilitary thugs similar to the Tonton Macoutes (a special paramilitary force created in 1959 by dictator Francois Duvalier), as a strategy to strike fear into the hearts of demonstrators”<sup>31</sup>

Universities were at the center of the rallies. Higher education institutions ceased their activities, locked their campuses, created barricades that could not be crossed on foot to protect students and teachers who were joining the marches, and supported all members of their communities who were protesting. Universities

were also victims of repression. For instance, in November 2019, l’Unité de Sécurité Générale du Palais National (Usgpn) violently attacked a student protest taking place at Université d’État d’Haïti. Their agents fire at students who were peacefully protesting at the main entrance. The University condemned the armed attack, demanding an investigation into the incident<sup>32</sup>

## **Conclusion**

Critics of the student movement in the Americas have claimed that student demonstrations have lost credibility and validity due to the frequent violent street riots in which alleged students have spread destruction around commercial and public venues in many countries of the region during marches. Student leaders defend themselves saying that those acts of vandalism were caused by undercover members of illegal armed groups who infiltrated protests.

In any case, the above incidents demonstrate a pattern of suppression against student protests in Latin America, which takes place to punish and deter criticism of the state. This is a clear threat to academic free-

dom, as students and professors alike experience significant brutality from the state when they vocalize their grievances over the poor shape of democracy in their countries.

In fact, several regional organizations have condemned the state's aggression towards student protests which puts academic freedom in the Americas at risk. For example, the Latin American Studies Association (LASA) expressed its concern over the Colombian government's handling of student demonstrations, calling on the state to propose solutions that address the grievances of protestors. Additionally, LASA called on the police force to respect the right to protest and to cease using violence to silence protestors.<sup>33</sup>

The Inter American Commission on Human Rights and Honduras' Office of the United Nations High Commissioner for Human Rights issued a statement opposing the country's May 2019 Criminal Code, claiming that "the legislation contains disproportionate restrictions on the freedom of expression and the freedom of the press, in addition to provisions whose wording may affect the right to protest and defend human rights

in the country."<sup>34</sup>

On November 1st 2019, the Office of the United Nations High Commissioner for Human Rights indicate that security forces in Haiti were responsible for 19 of the deaths during the rallies, allegedly resulted from police use of excessive force.

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